



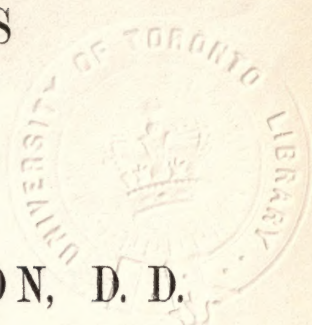
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Relig
& Theol. ~~Book~~

THE WORKS

OF

ROBERT SANDERSON, D. D.



SOMETIME

BISHOP OF LINCOLN,

NOW FIRST COLLECTED BY

WILLIAM JACOBSON, D. D.

REGIUS PROFESSOR OF DIVINITY

AND

CANON OF CHRIST CHURCH.

IN SIX VOLUMES.

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20

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*A Letter from a Friend concerning the ensuing Cases.**

SIR,

HAVING perused the papers you sent me, I can safely vouch them for genuine, and not in the least spurious, by that resemblance they wear of their Reverend Author; and therefore you need not fear to bring them to the public test, and let them look the Sun in the face.

It is true, their first commission was but short, and long since expired, they being designed only to visit and respectively satisfy some private friends; yet I cannot see what injury you will offer to his sacred ashes, if, by renewing that, you send them on a little further embassy for the common good.

Indeed, the least remains of so matchless a Champion, so invincible an Advocate *in foro Theologico*, like the filings and fragments of gold, ought not to be lost; and pity the world was not worthy many more of his learned labours.

But,—*Praestat de Carthagine tacere quam pauca dicere*,†—far be it from me to pinion the wings of his fame with any rude letters of commendation, or, by way of precarious pedantry, to court any man into a belief of his worth, since that were to attempt Iliads after Homer, and spoil a piece done already to the life by his own pencil, the works whereof do sufficiently *praise him in the gates*.

All I aim at is, to commend and promote your pious intention to give the world security, by making these Papers public, that they shall never hereafter stand in need of any other hand to snatch them out of the fire,‡ a doom, you say, once written upon them.

Nor do I less approve your ingenious prudence in determining to prefix no Name, it being as laudable not to speak all the truth sometimes, as to forbear telling a lie for advantage.

'Tis, I confess, the mode of late to hang jewels of gold in a swine's snout: I mean, to stamp every impertinent Pamphlet with

* Prefixed to the Five Cases, published in 1666.

† *De Carthagine silere melius puto, quam parum dicere.* Sallust. Jugurth. xix. Quoted by Quintilian, Inst. Orat. ii. 13. '*De Carthagine tacere satius puto, quam parum dicere.*'

‡ 'fire.' So in a MS. of the Case of Marrying with a Recusant, belonging to the late Sir J. E. Dolben, the correcter readings of which Dr. Routh noted some years ago on the margin of his own Copy. The printed books exhibit 'first.'

some great name or voluminous title, to make it vend the better—*Laudat venales qui vult extrudere merces*—at which the gulled Reader, repenting his prodigality of time and patience, is forced to cry out all along, *Beaucoup de bruit, peu de fruit*, and in the end sums up its just character in a few words, *Nil nisi magni nominis umbra*.

But yours is the only method to deal with wise and rational men, who are not so easily taken with chaff, (the multitude or greatness of words and names,) as with the true weight and worth of things.

Yet let me tell you that whoever is not a mere stranger to your learned Author's former Tractates, must needs spell his name in every page of this without any other monitor.

I have no further trouble to give you,* unless I should bespeak your vigilance over the Press, which, by her daily teeming and inexpertness, † or at least negligence of the Midwife, is wont of late to spoil good births with monstrous deformities and unpardonable errata. So you will avoid a double guilt contracted by some without fear or wit, of abusing your critical Reader on the one hand, and your most judiciously exact Writer on the other; and, if that may contribute any thing more, very much gratify the most unworthy of his Admirers.

‡ In subsequent Editions, when the number of the Cases was increased from Five to Eight, the four preceding paragraphs were omitted; and the opening of this was altered to, 'I have no further trouble to give you, but to thank you for these excellent pieces of the same hand and stamp, as every intelli-

gent Reader will easily discern; with which, as an accession to this Edition, your care and piety hath obliged the Public. Only again let me bespeak your vigilance over the Press,' &c.

† 'inexpertness' Dolben MS. The printed Books, 'expertness.'

THE CASE OF THE SABBATH.*

To my very loving Friend, Mr. Tho. Sa. at S. B. Nottingham.

March 28, 1634.

SIR,

WHEN by your former Letter you desired my present Resolution in two Questions therein proposed concerning the Sabbath, although I might not then satisfy your whole desire, being loath to give in my opinion before I had well weighed it,

* First printed, anonymously, in 1636, with this Title-page :

'A Sovereign Antidote against Sabbatarian Errours, or a Decision of the Chief Doubts and Difficulties touching the Sabbath. Wherein these three Questions (beside others co-incident) are clearly and succinctly determined, viz.' [as in the body of the Case, p. 7.] 'By a reverend, religious, and judicious Divine. London, Printed by Tho. Harper for Benjamin Fisher, and are to be sold at his shop in Aldersgate Street at the Signe of the Talbot, 1636 : ' with this Imprimatur at the end of the Tract, ' Perlegi brevem hunc Tractatum de Sabbato, in quo nihil reperio sanæ fidei, aut bonis moribus contrarium. Tho. Weekes, R. P. Ep. Lond. Cap. Domest.'

And with the following Address to the Reader prefixed.

'It is a matter of great use and necessity to have now in remembrance the admonition of the Apostle and Teacher of the Gentiles, *Remember them which have the rule over you: obey them, and submit yourselves,* Heb. xiii. 7, 17. and *esteem them very highly in love for their works sake,* 1 Thess. v. 13. And it is not without reason; because in the House of God, which is the Church of the living God, they work the work of the Lord, and

they watch for our sake as they that must give account, 1 Tim. iii. 15. 1 Cor. xvi. 10. Heb. xiii. 17. Whose office is so honourable, that God Himself not only hath given a charge, that *every man that will do presumptuously, and will not hearken unto the Priest,* the man shall be put away from Israel, but hath also severally this inobediency punished. The wrath of the Lord arose against His people, and gave them into the hands of the King of Chaldees, because *they mocked the messengers of God, and despised His words and misused His Prophets.* Deut. xvii. 12, 2 Chron. xxxvi. 16.

Yet this is the contumacy and madness of some boasters, and some unthankful men, which no otherwise, but as *Jannes and Jambres withstood Moses,* 2 Tim. iii. 8, so they them, whom Divine Oracle hath adjudged to be *worthy of double honour,* 1 Tim. v. 17, saying in effect to them as Korah did (with certain of the children of Israel, two hundred and fifty princes) to Moses and Aaron; *Ye take too much upon you, seeing all the congregation are holy, every one of them: wherefore then lift you up yourselves above the congregation of the Lord?* Num. xvi. 3.

The experiment of these things gives every day our England, in the

yet that I might not seem altogether to decline the task imposed on me by you, I engaged myself by promise, within short time, to send you what upon further consideration I should conceive thereof. Which promise, so far as my many distractions and occasions* would permit, I endeavoured to perform by perusing the books you sent me, in the one whereof I found, written on the spare paper with your hand, a note moving a third Question, about the Name of the Sabbath also; and by looking up and reviewing such scattered notes as I had touching that subject. But then I met with difficulties so many and great, whereof the more I considered, the more still I found them to increase, that I saw it would be a long work, and take up far more time than I could spare, to digest and enlarge what seemed needful to be said in the three Questions, in such sort as was requisite to give any tolerable satisfaction either to myself or others. Wherefore I was eftsoons minded to have excused myself, by Letter to you, from further meddling with these Questions, and to have remitted you over for better satisfaction to those men, that have both better leisure to go about such a business, and better abilities to go through with it than I have. For to Questions of importance, better

business of the Sabbatarians, who, *measuring themselves by themselves, and comparing themselves amongst themselves*, even as in times past the Scribes and Pharisees, *for a pretence make long prayer, devour widows' houses*, Matt. xxiii. 14. so they creep into houses, and in a shape of sanctimony (is it through the envy, or strife, or ignorance? I cannot tell) they cast a snare upon the silly consciences of men, making concision in the Church of the Lord; and so the *middle wall of partition* which Christ hath broken down, Ephes. ii. 14, they do renew; and, this doing, show themselves to be the deceitful workers.

'Therefore, to avoid this confusion, we bring forth in the light this Discourse penned for private satisfaction, and now approved to be printed for the public edification of the Church. Wherein the excellent Author seems to have imitated them which have the art to make roses

grow, *sine spinis*, without a thorn, and yet be as fair and fragrant as any other: so that his Dedalean pen delivered us a theological decision of Sabbaths difficulties, *sine spinosis et paedagogicis argutiis*: yet punctually to the mind of Christ and the Church. Worthily therefore may it be presented to the Church of England, and to be accepted of thy favour.'

The Case, as there exhibited, is headed 'A Decision of the chief Points and Difficulties touching the Sabbath, written to a private friend, and now published for the satisfaction of others;' but it omits the introductory portion, and begins with the words, 'I have now sent you but a naked summary of my thoughts,' on p. 7.

* '*occasions, occupations*. The Cambridge Latin Version has '*multae, quibus districtus eram, occupationes*.'

nothing be said, than not enough. And the rather was I minded so to do, when I perceived there were rumours spread in these parts, occasioned, as I verily suppose, by some speeches of your good friend Mr. Tho. A., as if I were writing a treatise of the Morality of the Sabbath. Which besides that it might raise an expectation of some great matters which I could in no wise answer, it might also expose that little I should have done to the mis-censures of men wedded to their own opinions, if, after I had laid mine open, it should have happened in any thing, as in some things like enough it would, to have disagreed from theirs. Yet because by your late kind Letters, wherein, whilst I was slack in making it, you have prevented mine excuse, I perceive the continuance of your former desire, I have therefore since resolved to do somewhat, though not so much as I first intended, hoping that you will in friendly manner interpret my purpose therein. * I have therefore now sent you but a naked summary of my thoughts concerning the three Questions, abstracted from all those explanations, reasons, testimonies of Authors, removals of objections, and other such enlargements, as might have given further both lustre and strength thereunto.

Howsoever, by what I presently send, you may sufficiently see what my opinion is; which I shall be ready to clear, so far as my understanding will serve, in any particular wherein you shall remain doubtful; and as ready to alter when any man shall instruct me better, if he bring good evidence either of Reason or of Scripture Text for what he affirmeth.

The Questions are,

- I. Which is the fittest Name whereby to call the day of our Christian weekly rest? whether the Sabbath, the Lord's Day, or Sunday?
- II. What is the meaning of that Prayer appointed to be used in our Church, 'Lord, have mercy upon us, and incline,' &c, as it is repeated after and applied to the words of the Fourth Commandment?
- III. Whether it be lawful to use any bodily Recreation upon the Lord's Day? and if so, then what kind of Recreations may be used?†

* The 'Sovereign Antidote against Sabbatarian Errours,' &c. begins here, omitting the word 'therefore.'

† The first and third of these Questions are the first and fifth of those propounded in the Abstract

To the first Question.

I. Concerning the Name, *Sabbatum*, or Sabbath, I thus conceive :

1. That in Scripture, Antiquity, and all Ecclesiastical Writers, it is constantly appropriated to the day of the Jews' Sabbath, or Saturday, and not at all, till of late years, used to signify our Lord's Day, or Sunday.

2. That to call Sunday by the name of the Sabbath-day, *rebus sic stantibus*, may for sundry* respects be allowed in the Christian Church without any great inconveniency; and that therefore men, otherwise sober and moderate, ought not to be censured with too much severity, neither charged with Judaism, if sometimes they so speak.†

3. That yet for sundry other respects it were perhaps much more expedient, if the word Sabbath, in that notion, were either not at all, or else more sparingly used.

II. Concerning the name *Dominica*, or the Lord's Day :

1. That it was taken up in memory of our Lord Christ's Resurrection, and the great work of our Redemption accomplished therein.

2. That it hath warrant from the Scripture, Apoc. i. 10,‡ and hath been of long continued use in the Christian Church, to signify the first day of the week, or Sunday.

III. Concerning the name *Dies Solis*, or Sunday :

1. That it is taken from the courses of the Planets, as the names of the other days are: the reason whereof is to be learned from Astronomers.

2. That it hath been used generally,§ and of long time, in most parts of the world.

3. That it is not justly chargeable with Heathenism; and that it proceedeth from much weakness at the least, if not

of the Sabbatarian Controversy given by Fuller, in his Church History, vi. 90. Brewer's Ed.

* 'sundry.' Sovereign Antidote, 'some.'

† 'speak.' Sovereign Antidote, 'use it.' Sanderson himself so speaks, Sermon ii. ad Clerum, §§. 17, 18, preached in 1621; and in iii. ad

Magistr. §. 26, preached in 1625.

‡ This place of Scripture is similarly alleged by Bp. Andrewes, in his Speech delivered in the Star Chamber against the Judaical Opinions of Mr. Traske.

§ 'used generally, &c.' Sovereign Antidote, 'long and generally used in most parts.'

rather superstition, that some men condemn the use of it, as profane, heathenish, or unlawful.

IV. Of the fitness of the aforesaid three Names compared one with another.

First, That according to the several matter or occasions of speech, each of the three may be fitter in some respect, and more proper to be used than either of the other two. As, viz.

1. The Name Sabbath, when we speak of a time of rest *indeterminate*, and in general, without reference to any particular day; and the other two, when we speak determinately of that day which is observed in the Christian Church. Of which two again,
2. That of the Lord's Day is fitter, in the Theological and Ecclesiastical; and,
3. That of Sunday, in the civil, popular, and common use.

Secondly. Yet so as that none of the three be condemned as utterly unlawful, whatsoever the matter or occasion be; but that every man be left to his Christian Liberty herein, so long as superior Authority doth not restrain it. Provided ever, that what he doth herein, he do it without vanity or affectation in himself, or without uncharitable judging or despising his brother that doth otherwise than himself doth.

To the second Question.

V. The words of that Prayer, 'Lord, have mercy, &c.' repeated after the Fourth Commandment, do evidently import, as they do in each of the other Ten,

First, An acknowledgment of three things, viz.

1. That the words of that particular Commandment contain in them a Law whereunto we are subject.
2. That it is our bounden duty to endeavour with our utmost power to keep the said Law.
3. That our naughty hearts have of themselves no inclination to keep it, until God, by the work of His Grace, shall incline them thereunto.

Secondly, A double supplication, viz.

1. For Mercy, in respect of the time past, because we have failed of our bounden duty heretofore.
2. For Grace, in respect of the time to come, that we may perform our duties better hereafter.

VI. But how far forth the words of the Fourth Commandment are to be taken as a Law binding Christians, and by what Authority they have that binding power, is the main difficulty.

For the resolution whereof, it may suffice every sober-minded Christian, to understand the Prayer appointed by the Church in that meaning which the words do immediately import; and without over-curious inquiry into those things that are more disputable, to believe these few points following, which ought to be taken as certain and granted amongst Christians: viz.

- i. That no part of the Law delivered by Moses to the Jews doth bind Christians under the Gospel, as by virtue of that delivery: no, not the Ten Commandments themselves, but least of all the Fourth, which all confess to be, at least, in some part Ceremonial.
- ii. That the particular determination of the time to the seventh day of the week, was ceremonial. And so the obligation of the Fourth Commandment in that respect, although it were *Juris Divini positivi* to the Jew, yet is ceased, together with other Legal Ceremonies, since the publishing of the Gospel, and bindeth not Christian Consciences.
- iii. That the substance of the Fourth Commandment in the general, viz. that some certain time should be set apart from secular employments, to be sanctified to an holy rest, for the better attending upon God's public and solemn Worship, is moral and perpetual, and of Divine right, as a branch of the Law of Nature, whereunto Christians under the Gospel are still bound.
- iv. That *de facto*, The Lord's Day, or Sunday, is the time appointed to us for that purpose by such sufficient Authority, as we stand bound in conscience to obey: *absque hoc*, whether that Authority be immediately Divine, or but mediately through the power of the Church.

This is sufficient to regulate the judgment and conscience of every ordinary Christian; * yet it is not unlawful for Scholars soberly and fairly to argue and debate a little further matters

* 'cujusque e plebe Christiani.' Cambridge Version.

which are questionable, for the better finding out of the Truth.

And the points* in this Argument that are most in controversy are these two, viz.

- i. Concerning the observation of a weekly Sabbath : whether it be of necessity to keep one day of every seven ? And by what right we are tied so to do.
- ii. Concerning the change of the Jewish Sabbath into the Lord's Day ; and by what Authority it was done.

VII. As touching the observation of a weekly Sabbath, there are these three different Opinions, viz.

- i. That it is *de Jure naturali*, as a branch properly of the Law of Nature.
- ii. That it is properly and directly *de Jure Divino positivo*, established by God's express positive Ordinance in His Word.
- iii. That it is merely *de Jure humano et Ecclesiastico* ; introduced by Authority, and established by the custom and consent of the Catholic Church.

Touching which three Opinions, I leave it to the judicious to consider,

1. Whether the last of them might not hap to be of evil consequence, by leaving it in the power of the Church,† at her pleasure, to change the old proportion of one in seven, which hath continued ever since the days of Moses, into any other greater or lesser proportion of time ?

2. Whether the two former Opinions, though they do indeed avoid that inconvenience, do not yet stand upon such weak grounds otherwise, that they are by many degrees more improbable than the third.

3. Whether a fourth Opinion going in a middle‡ way might not be proposed with greater probability, and entertained with better safety than any of the former three ? viz. That the keeping holy of one day in seven, is of Divine positive right, taking *Jus Divinum* in a large signification : not for that only which is primarily, properly, and directly such, according to

* 'And the points, &c.' Sovereign Antidote, 'The points are two : viz. † 'of the Church.' Sovereign An- tidote, 'of every particular Church.' ‡ 'a middle.' Sovereign Antidote, 'the middle.'

the tenor of the second Opinion; but including withal that which is secondarily, consequently, and analogically such.

VIII. For the better understanding whereof, we are to consider,

First, That those things are *de Jure Divino* in the first and strict sense, which either,

1. Are enjoined by the express Ordinance and Commandment of God in His Holy Word; or else,
2. May be deduced therefrom by necessary, evident, and demonstrative illation.

In which sense, there are not many* things *de Jure Divino* under the New Testament.

Secondly, That for a thing to be *de Jure Divino* in the latter and larger sense, it sufficeth that it may be by human discourse upon reasons of congruity probably deduced from the Word of God, as a thing most convenient to be observed by all such as desire unfeignedly to order their ways according to God's Holy Will.

Thirdly, That this kind of *Jus Divinum* may be reasonably discerned by the concurrence of all, or the chiefest of these four things following, viz.

1. A foundation of Equity for the thing in general, either in the Law of Nature, or by virtue of Divine Institution.
2. An Analogy held for the particular determination, with such Laws and directions as were given to the Jewish people in the Old Testament, so far as the reason of Equity holdeth alike.
3. Some probable insinuations† thereof in the Scriptures of the New Testament.
4. The continued practice of the Christian Church, so far as the condition of the times in the several ages thereof would permit. For, *Lex currit cum praxi*.

Fourthly, That all these do in some measure concur for the observation of a weekly Sabbath; as upon the examination of the several particulars will easily appear.

IX. This distinction of *Jus Divinum* is to be observed the

* 'not many.' Sovereign Antidote, 'not very many.' In 'Episcopacy not prejudicial to the Regal Power,' Section ii. §. 3. it will be seen that Sanderson allows only two

things to be of positive Divine Right under the New Testament.

† 'insinuations.' 'indicia.' Cambridge Version.

rather, because it may be of very good use, if rightly understood and applied,

First, For cutting off the most material instances, which are usually brought by the Romish Party for the maintenance of their unwritten Traditions.

Secondly, For the clearing of some, and the silencing of other some Controversies in the Church, which are disputed *pro* and *con* with much heat : as, viz. concerning,

1. The government of the Church by Bishops.
2. The distinction of Bishops, Priests and Deacons.
3. The exercise of Ecclesiastical Censures, as Suspension, Excommunication, &c.
4. The building and consecrating of Churches for the Service of God.*
5. The assembling of Synods upon needful occasions, for the maintenance of the Truth, and for the settling of Church Affairs.
6. The forbidding of Marriages to be made within certain degrees of consanguinity and affinity.
7. The Baptizing of Infants born of Christian Parents.
8. The maintenance of the Clergy by the Tithes of the people,† and sundry other things : none of all which, to my understanding, seem to be *de Jure Divino* in that first and proper sense ; but yet all or most of them to be *de Jure Divino* in this latter and larger signification.

Thirdly, For the right bounding of the Church's power, that she be neither denied her lawful liberty in some things, nor yet assume to herself a greater power than of right belongeth unto her in other some. For,

1. In things that are merely *de Jure humano*, every particular Church hath power in herself from time to time, to order and alter them at her pleasure, and may exercise that pleasure when she thinketh fit.
2. Things that are *de Jure Divino* in that first sense, the Universal Church may not, and much less then may any Particular, at all take upon her to alter, but must

* 'the Service of God.' Sovereign Antidote, 'Divine Service.'

† 'Tithes of the people,' &c. Sovereign Antidote, 'by Tythes. And sundry other things. Some of which have been doubted of in that prime

and proper sense, but yet all or most of them in my understanding seem at least to be *de Jure Divino*, in the latter and larger sense and signification.'

observe them inviolably, whatsoever necessities or distresses she be put unto.

3. Things that are *de Jure Divino* in this latter sense, every Particular Church, but much more the Universal, hath a power to alter in a case of necessity. But the exercise of that power is so limited to extraordinary cases, that it may not be safe for her at all to exercise it; unless it be for the avoiding of mighty inconveniences, not otherwise to be avoided.

X. As for the other controverted Point, touching the change of the day, from the last day of the week or Saturday, which was the Jews' Sabbath, to the first day of the week or Sunday, which is our Lord's Day, my opinion is, that the observation of the Lord's Day among Christians instead of the Jewish Sabbath,

1. Is not grounded upon any Commandment given by Christ to his Apostles.

2. Nor yet upon any Apostolical Constitution* given by the Apostles unto the Churches in that behalf. But,

3. That it was taken up by the succeeding Church: partly in imitation of some of the Apostles, who used, especially in the Churches of the Gentiles, (for in the Churches of Judaea† the old Sabbath was still observed,) to celebrate their holy assemblies upon the first day of the week, in the honour of Christ and His Resurrection; and partly for the avoiding of Judaism, wherewith false Teachers in those first times were ever and anon attempting to enthrall the Christian Church.

4. That the observation of the Lord's Day, having been confirmed by so many Constitutions both Ecclesiastical and Imperial, and having withal continued with such uniform consent throughout the Christian World, for so many Ages ever since the Apostles' times, the Church, (not to dispute what she may or may not do *in* ‡ *plenitudine potestatis*, yet) ought not to attempt the altering of it to any other day of the week.

To the third Question.

XI. In this matter, touching Recreations to be used on the

* 'Constitution.' Sovereign Antidote, 'of the Jews.'
 † 'of Judaea.' Sovereign Antidote, 'ex.'
 ‡ 'in.' Sovereign Antidote, 'ex.'

Lord's Day, much need not be said, there being little difficulty in it, and his Majesty's* last Declaration in that behalf having put it past disputation. I say then,

1. For the Thing. That no man can reasonably condemn the moderate use of lawful Recreations upon the Lord's Day, as simply and *de toto genere* unlawful.

2. For the Kind. Albeit there can be no certain Rules given herein, as in most indifferent things it cometh to pass, by reason of the infinite variety of circumstances, to fit with all particular cases, but that still much must be left to private discretion: yet for some directions in this matter, respect would be had in the choice of our Recreations,

1. To the public Laws of the State. Such games or sports as are by Law prohibited, though in themselves otherwise lawful, being unlawful to them that are under the obedience of the Law.

2. To the condition of the Person. Walking and discoursing, with men of liberal education, is a pleasant recreation: it is no way delightful to the ruder sort of people, who scarce account any thing a sport which is not loud and boisterous.

3. To the effects of the Recreations themselves. Those being the meetest to be used, which give the best refreshing to the body, and leave the least impression in the mind. In which respect, Shooting, Leaping, Pitching the Bar, Stool-ball,† &c. are rather to be chosen than Dicing, Carding, &c.

3. For the Use. That men would be exhorted to use their Recreation and Pastimes upon the Lord's Day in godly and commendable sort. For which purpose, amongst others, these Cautions following would be remembered:

1. That they be used with great moderation, as at all other times, so especially, and much more, upon the Lord's Day.

2. That they be used at seasonable times, not in time of Divine Service,‡ nor at such hours as are appointed by

* Charles I, October 18, 1633. See Sermon ii. ad Clerum, §. 18.

† See Strutt, Sports and Pastimes, ii. 3.

‡ 'Divine Service.' In the Sovereign Antidote this second Caution is made to end with these words.

the master of the house whereunto they belong, for private devotions within his own house. His Majesty's Declaration limiteth men's liberty this way, till after Evensong be ended.

3. That they be so used, as that they may rather make men the fitter for God's service the rest of the day, and for the works of their vocations the rest of the week, than any way hinder or disable them thereunto, by over-wearying the body, or immoderately affecting the mind.
4. That they use them not doubtingly; *for whatsoever is not of Faith is sin.* He therefore that is not satisfied in his own judgment, that he may lawfully, and without sin, use bodily Recreations on the Lord's Day, ought by all means to forbear the use thereof, lest he should sin against his own Conscience.
5. That they be severer towards themselves than towards other men in the use of their Christian Liberty herein, not making their own opinion or practice a rule to their brethren. In this, as in all indifferent things, a wise and charitable man will in godly wisdom deny himself many times the use of that Liberty, which in a godly charity he dare not deny to his brother.

ONE of the MSS. given by Bishop Barlow to the Library of Queen's College, U. 16. b. p. 90, contains a memorandum that this Case of the Engagement was drawn up in answer to inquiries from 'T. Washbourne, Presbyter in Gloucestershire.'

The Letter containing Mr. Washbourne's inquiries, to which reference is expressly made in the opening of the Case, pp. 20, 21, is here given from Papers preserved in Lincoln College. And the entire Case is exhibited, in a more genuine and complete form than has ever appeared before, from the Original in Sanderson's own handwriting which is in the possession of that Society. Sanderson, it will be observed, speaks of this as the only perfect Copy he had. p. 35 below.

SIR,

THINK it not strange that this Paper salutes you from a strange hand; for though my name perhaps be unknown to you, yet cannot you be unknown to me, being deservedly honoured by all the remaining honest part of the Clergy of England for your learning and integrity, which shines bright to them even in these dark times. I heartily wish both the Church and University might have enjoyed the benefit of your studies in the public exercise of that eminent place to which you were called; but seeing the iniquity of the times deprive* us of that happiness, I hope and am confident you will not deny me your private opinion, which I humbly and earnestly entreat in a Case of Conscience, not to ensnare you, but to resolve myself. Had my wife's father, Dr. Fell, late Dean of Christ Church, and your friend, been now alive, I should have made him my pilot in this storm. But since God hath taken him away, I desire you would supply the place of a father in your counsel. And although it be not safe pinning one's faith on another's sleeve in points of Religion, yet in doubtful Cases, where arguments on both sides stand like rocks to split me, I had rather sail by your compass than mine own; and look, what

* 'deprive.' So in the Original.

you conclude lawful or unlawful, I shall submit unto and acquiesce in as an Oracle.

The occasion moving me thus to trouble you is this. I am now required to subscribe the New Engagement: the penalty of refusing may prove the loss of my Church Living, which is the main subsistence of my family, a wife and five or six small children. But I thank God I have learned not to put the world in the one scale, when my soul is in the other; or, if I weigh them in the same balance, I know which should preponderate. As therefore I would not be flattered into a conceit that I may safely, without making shipwreck of a good Conscience, take the Engagement, which many do who are more learned, and would be thought as conscientious as the best, so would I not precipitately ruin myself in my temporal estate by an over-preciseness in refusing what is not repugnant to the Rule of Faith, by which every Christian, and especially a Minister of Christ, ought to steer his course. Give me leave then to propose the most common Arguments urged for the subscription; and the solution of them I assure myself you will easily and speedily return me by this bearer.

1. That it is only a Promise, not an Oath, and consequently not so obliging the Conscience, but only *pro tempore*, whilst the State stands in force; and that when the lawful Heir to the Crown shall come in place, it is void, &c.
2. That it is but a Civil Engagement, requiring no more than a passive obedience to the present Power, which I cannot resist, and therefore must submit to it.
3. That it is but just to promise fidelity, though to an unjust Power, under whom I live and from whom I have protection.
4. That it is the constant and avowed practice in frontier towns for the inhabitants to take an Oath to be true to that party which possesseth the place; and as soon as that party is ejected, they are freed from the Oath, and swear to be faithful to the contrary party.
5. That the Oaths of Supremacy and Allegiance (for the Covenant I never took) bind not to impossibilities; and since the Government is altered against my will, as I am not able, so I am not obliged to defend the King's person and authority, &c.
6. That the present Power, though usurped, is the only Power exstant; and we must be subject to that or none. And how can it be sin to promise what I cannot choose but perform, viz. to be true and faithful to the Parliament, &c? for had I the will to betray or oppose them, I want the ability.

7. That by not subscribing I become a prey to them, and thereby am made utterly unable, in a civil capacity, to serve the rightful Prince, if he should come in place to demand my assistance.
8. That the King, both before and since his coming into Scotland, hath (if strong report of some may be credited, who stick not to say they have it from his own mouth) given leave to his subjects rather to subscribe than suffer the loss of their estates.

In your Resolution, I crave not only an answer to these few, and, it may be, frivolous Objections to your sound and more discerning judgment, but to any other of weight or consequence which you can think upon for my further satisfaction. So doing, you will engage me to subscribe myself,

Sir, your true and faithful friend

and servant in Christ,

THO. WASHBOURNE.

Dombleton in Gloucestershire,

Jan. the 7th.

Let me trouble you with this one Query more. Whether, upon supposition that the words of the Engagement may bear a double construction, I may take it in my own sense or in the Imposer's? and whether I ought to ask his interpretation before I subscribe? I add this at the request of a friend who desires to be satisfied in this point.

To my very worthy and much esteemed friend
Dr. Sanderson, Rector of Boothby Paynell,
near Grantham in Lincolnshire, present these.

THE
CASE OF THE ENGAGEMENT.

SIR,

I HAVE hitherto been very sparing in delivering my opinion concerning the point now most in agitation, viz. of the lawfulness or unlawfulness of subscribing the Engagement, considering the mischiefs that must needs have followed, if it should be once noised abroad that I had given forth any determination in so tickle a point. I could not but foresee on the one side, if I should condemn it as utterly unlawful, how I should be looked upon by those that have all power in their hands, not as a refuser only, but a dissuader also of what they have thought fit to require. And on the other side, if I should allow it in any case lawful, what ill use would certainly be made thereof by multitudes of people, apt to be so far scandalized thereby, as either to swallow it whole without chewing, (that is, resting themselves upon the general determination of the lawfulness to take it hand over head, without due consideration either of the true meaning of it or of other requisite cautions and circumstances,) or else to conceive themselves, by so engaging, to be for ever discharged from the bond of their former allegiance.

Yet since by your Letter, and by sending your servant therewith on purpose so many days' journey, through unknown ways, and at this season of the year (especially as the weather hath proved since his coming forth) scarce passable, you have shown your earnest desire to understand what my opinion is in this point, so great, both for difficulty and concernment, I could not think it fit, nor consistent with that civility which is to be used, especially towards strangers, to send back your messenger without the return of some kind of answer. Wherein, albeit I shall not come up to the full of what your Letter declareth to be your desire, viz. in giving a particular judgment and estimate of the eight several argu-

ments therein proposed, and the additional Quaere in the Postscript, yet you shall find something tending towards your satisfaction therein, by touching upon those points, so far as the straits of time would suffer, wherein the difficulty of the whole business seemeth chiefly to consist.

I. First, then, it is to be considered, that Allegiance is a duty that every Subject, under what form of Government soever, by the Law of Nature oweth to his Country, and consequently to the Sovereign Power thereof. For the very same Law (which we may call the Law of Nature, at least in a large acception) which inclineth particular men to grow into one civil body of a Commonwealth, must necessarily withal imprint a sense and tacit acknowledgment of such a duty of Allegiance in every inferior member of the Body, unto the *Caput Communitatis*, or Sovereign Power, by which that Commonwealth is governed, as is necessary for the preservation of the whole Body. So that the bond of Allegiance doth not arise originally from the Oath of Allegiance, as if those that had not taken the Oath had a greater liberty to act contrary to the Allegiance specified in the Oath than those that have taken it have; or as if, in case the Oath should be quite laid aside, there should be no Allegiance due. But it is so intrinsecal, proper, and essential a duty, and, as it were, fundamental to the relation of a Subject, *qua talis*, as that the very name of a Subject doth, after a sort, import it: insomuch, that it hath thereupon gained, in common usage of speech, the style of Natural Allegiance.

Whence all these Inferences will follow.

1. That the Bond of Allegiance, whether sworn or not sworn, is in the nature of it perpetual and indispensable.

2. That it is so inseparable from the relation of a Subject, that although the exercise of it may be suspended by reason of a prevailing force, whilst the Subject is under such force, viz. where it cannot be imagined how the endeavour of exercising it can be effectually serviceable to restore the Sovereign Power to the right owner, for the establishment of that public Justice and Peace wherein the happiness of Commonwealths consisteth, yet no outward force can so absolutely take it away or remove it, but that still it remaineth virtually in the Subject, and obligeth to an endeavour, so soon as the force that

hindered it is over, of actually exercising it* for the advantage of the party to whom of right it is due, and the advancement of the common good thereby, upon all fit occasions.

3. That no Subject of England, that either hath by taking the Oaths of Supremacy or Allegiance acknowledged, or that not having taken either Oath, yet otherwise knoweth or believeth that the Sovereign Power in England, to whom his natural Allegiance is due, is the King, his Heirs, and lawful Successors, can without sinning against his conscience, enter into any Covenant, Promise, or Engagement, or do any other act or acts whatsoever, whereby either to transfer his Allegiance to any other party, to whom it is not of right due, or to put himself into an incapacity of performing the duties of his bounden Allegiance to his lawful Sovereign, when it may appear to be useful and serviceable to him.

4. That therefore the taking of the late Solemn League and Covenant by any subject of England, notwithstanding the protestation in the Preface that therein he had the honour of the King before his eyes, and that express clause in one of the Articles of it, wherein he swore the preservation of the King's person and honour, was an act as clearly† contrary to the Oath of Allegiance, and the natural duty of every subject of England, as the assisting of the King to the utmost of one's Power (which is a branch of the Oaths), and the assisting against any person whatsoever, with his utmost power, those that were actually in arms against the King, which was the very end for which that Covenant was set on foot, are contrary the one unto the other.

5. And that also, for the same reason, no Subject of England that hath taken the Oaths and understandeth them, or is persuaded that the Sovereignty of this Realm doth of right belong to the King, his Heirs, and lawful Successors, can, without sinning in like manner against his Conscience, take the Engagement now offered; if he so understand the words, wherein it is expressed, as if they did contain in them, and require of the Promiser, an acknowledgment that the Supreme Power of this Realm, whereunto the Subjects owe their bounden Allegiance, is rightly vested in those persons that now

* 'exercising it.' Previous Edd. 'exercising of it.'

† 'clearly.' Previous Edd. 'clear.'

exercise it; or as if they did import an utter abjuration or renouncing of that Allegiance which was formerly held due to the King.

II. This being cleared, the next Inquiry must be, Whether or no the words of the Engagement will reasonably bear such a construction, as, to the understanding of a rational and conscientious man, may be deemed* consistent with his bounden duty and Allegiance to his lawful Sovereign? Whereof, I think, there need be no great question made, if it be well considered,

1. That all expressions by words are subject to such ambiguities, that scarce any thing can be said or expressed in any words, how cautiously soever chosen, which will not render the whole speech capable of more constructions than one.

2. That very many men, known to be well affected to the King and his party, and reputed otherwise both learned and conscientious (not to mention the Presbyterians, most of whom,† truly for my own part, when we speak of learning and conscience, I hold to be very little considerable) have subscribed the Engagement. Who in the judgment of Charity we are to presume would not so have done, if they had not been persuaded the words might be understood in some such qualified sense, as might stand with the duty of Allegiance to the King.

3. That, as you write, it is strongly reported and believed, the King‡ hath given way to the taking of the Engagement, rather than that his good Subjects should lose their estates for refusing the same. Which as it is a clear evidence that the King, and they who are about him to advise him, do not so conceive of the words of this Engagement as if they did necessarily import an abandoning of the Allegiance due to him, so is it,§ if true, a matter of great consideration towards the satisfaction of so many as out of that fear only have scrupled the taking of it. For the doing of that cannot be reasonably

* Sanderson first wrote 'may be,' then 'seem,' then 'appear,' and, 'finally,' 'be deemed.'

† 'most of.' These two words were added afterwards by interlineation.

‡ 'that the King,' as in the previous Edd. written, but the pen drawn through the word 'that.'

§ 'so is it.' In previous Edd. 'so 'tis.'

thought to destroy the Subject's Allegiance, which the King, who expecteth Allegiance from all his Subjects, advisedly, and upon mature deliberation alloweth them to do.

III. But all this being granted, that the words of the Engagement are capable of such construction, yet is not the Conscience thereby sufficiently secured from justly scrupling at the taking thereof, unless it may yet further appear that the Subject hath the liberty to make use of such a construction. Which is in effect the Quaere contained in your Postscript, viz. Whether, upon supposition that the words of the Engagement will bear more constructions than one, the Subscriber may take it in his own sense? Or is bound to take it in the Imposer's sense? Or whether it be necessary, or expedient, before he subscribe, to ask those that require his subscription, in what sense they require him to subscribe it? Upon the resolution of which Quaere, since, as I conceive, the last resolution of the judgment, wherein the Conscience is to acquiesce, doth principally depend, I shall endeavour to give you my thoughts therein, (wherein I acknowledge to have received much light and satisfaction from a Discourse written by a very learned,* judicious, and pious friend, whereof I lately had the perusal, but for some reasons not thought fit to be published,) as distinctly and clearly, as the time I have to do it in will suffer.

1. First, then, for a man that is required of another to give faith by some Oath, Promise, or other Engagement, to take it in a sense of his own, manifestly different, even in his own apprehension, from the other's meaning, sufficiently expressed by words according to the common custom of speech, and the nature of the business which it concerneth, is so gross a conceit, that had not the impudence of the Jesuits, in maintaining the lawfulness of their Equivocations, and the sad experience of these late times (wherein thousands have cheated themselves into Perjury by thinking to avoid it) evidenced the contrary, it might well have been thought a thing incredible, that any man of common understanding should suffer his reason to be so infatuated by his affections, as to be deceived thereby. For if such latitude of construction should be ad-

* 'a very learned.' In previous Edd. 'a learned.'

mitted in Promises, and other Obligations of that nature, intended for the preservation of faith among mankind, there would not remain any possible means whereby for men to have assurance of one another's meaning. Wherefore I take that for a clear truth, that all Promises, and Assurances, wherein faith is required to be given to another, ought to be understood *ad mentem Imponentis*, according to the mind and meaning of him to whom the faith is to be given; so far forth as that meaning may reasonably appear, by the nature of the matter about which it is conversant, and such signification of the words whereby it is expressed, as according to the ordinary use of speech amongst men agreeth best thereunto. The reason whereof is, because the faith so required to be given, is intended to the behoof, and for the interest of him that requireth it: namely, to the end he may have the better assurance from him that giveth the faith, that what is promised shall be accordingly performed: which assurance he cannot have, if, after his meaning sufficiently declared by the words, it should yet be at the liberty of the Promiser to reserve another secret meaning in his own breast, differing therefrom.

2. But, secondly, what if the intention of the Imposer be not so fully declared by the words and the nature of the business, but that the same words may in fair construction be still capable of a double meaning, so as taken in one sense they shall bind to More, and in another to Less? I conceive in such case it is not necessary, nor always expedient, (but rather for the most part otherwise) for the Promiser, before he give faith, to demand of the Imposer, whether of the two is his meaning. But he may by the Rule of Prudence, and that, for ought I see, without the violation of any Law of Conscience, make his just advantage of that ambiguity, and take it in that sense* which shall bind to the Less. And this I ground upon the very same reason as before. For sith the faith to be given is intended to the behoof of him to whom it is given, it concerneth him to take care that his meaning be expressed in such words as will sufficiently manifest the same to the understanding of a reasonable man. Which if he but neglect† to do,

* 'in that sense.' In previous Edd. 'in the same sense.'

† 'if he but neglect.' In previous Edd. 'if he neglect.'

no Law of Equity or Prudence bindeth the Promiser by an over-scrupulous diligence to make it out, whereby to lay a greater Obligation upon himself than otherwise he needed* to do.

3. But then, thirdly, if it shall happen (as often it cometh to pass, when we have to deal with cunning men, and may possibly be the case now, and undoubtedly was so in the business of the Protestation,† when the time was,) that he that requireth the faith to be given, do of purpose so contrive the words,‡ that there may be left an ambiguity and latitude of sense therein: yea, and that it be very probable, and in a manner apparent, (upon the consideration of the point of interest, or other strong presumptions arising from circumstances or otherwise) even to the apprehension of the Promiser himself, that he hath some further reach in requiring that Promise from him, some more remote and secret intention than he is willing to discover. In that case what is to be done? I answer, that the Promiser in such case is no ways obliged, in giving his faith, to take notice of any secret§ intention, but is at liberty to make use of that latitude of sense, which the other did rather choose to leave undetermined than to restrain, and so to turn the other's cunning dealing to his own best advantage, by taking it in the more favourable construction, and that which bindeth to less. For it is the

* 'than otherwise he needed.' In previous Edd. 'than he need.'

† I, A. B., do in the Presence of Almighty God, promise, vow, and protest, to maintain and defend, as far as lawfully I may, with my life, power, and estate, the true Reformed Protestant Religion, expressed in the Doctrine of the Church of England, against all Popery, and Popish Innovation within this Realm, contrary to the same Doctrine, and according to the Duty of my Allegiance, His Majesty's Royal Person, Honour, and Estate; as also the Power and Privileges of Parliament; the lawful Rights and Liberties of the Subject, and every person that maketh this Protestation, in whatsoever he shall do in the lawful pursuance of the same. And to my power, and as far as lawfully

I may, I will oppose, and by all good ways and means endeavour to bring to condign punishment, all such as shall either by force, plots, or conspiracies, or otherwise, do any thing to the contrary of any thing in this present Protestation contained. And further, that I shall in all just and honourable ways endeavour to preserve the Union and Peace between the three Kingdoms of England, Scotland, and Ireland; and neither for hope, fear, nor other respect, shall relinquish the Promise, Vow, and Protestation.—See 'Englands Oaths, Taken by all men of Quality in the Church and Commonwealth of England.' London, 1642.

‡ 'the words.' In previous Edd. 'words.'

§ 'any secret.' In previous Edd. 'any such secret.'

declared Intent* only, (viz. that which the words, according to the common use of speech, do, in relation to the nature of the business,† most naturally and properly represent to the understanding of reasonable men, when they hear them;) and not the remote,‡ secret, and reserved Intent, which the Promiser is obliged unto. The Reason whereof is manifest. Because he that requireth faith to be given from another, by words of his own contriving, is ever presumed so to have determined the sense thereof, in the contrivance of the words, as may sufficiently declare what he intendeth the Promiser should assure him to perform. If therefore he have not so determined the words as to signify the More, it is in all reason to be presumed, that he intended to oblige him but to the Less. For being at liberty to make his own choice of words, whereby to express his own meaning, who can think otherwise, but that he would make the choice with respect to his own interest? And therefore, though he might have a secret desire, yea, and that by his actions otherwise evident and apparent enough to all the world, but such as for some particular reasons reserved to himself he thinketh not fit in the form of words tendered to the Promiser as yet to discover,§ that the Promiser should be bound to the More, and would be marvellously well pleased that he should so understand the words, as if they intended to bind him to the More, yet since it had been so easy a matter for him, by adding or altering a few words, to have declared that Intent, if he had thought it conducive to his own ends, it will be presumed also, that it was out of respect to self-interest|| that he forbore so to do, and chose rather to leave his meaning in such general words as will not exclude the sense, which bindeth but to the Less; and consequently that his declared Intent obligeth to no more but to the Less only.

IV. To bring the matter yet closer, and to put it up to the present Case, there are two things¶ more to be done.

* 'Intent.' In previous Edd.

† 'business.' In previous edd.

‡ 'the remote.' In previous Edd.

§ 'yea, and that—yet to discover.' This passage was inserted

by Sanderson in the margin, as a substitute for the words, 'which he is loath to discover,' which had been inserted between the lines, and then had the pen drawn through them.

|| 'to self-interest.' In previous Edd. 'of self-interest.'

¶ 'are two things.' In previous

First, to show what the different constructions are* (the highest, I mean, and the lowest) the words of the Engagement are fairly capable of.

And, secondly, to find, as well as we can, whether of the two is more probably the meaning intended by the Imposers to be declared by the words.

The words are these :

‘I do promise to be true and faithful to the Commonwealth of England, as it is now established without King or Lords.’

Wherein there are sundry ambiguities.†

1. The first and main one, and whereon the rest after a sort depend, is in the word Commonwealth,‡ by which may either be meant, those persons who are the prevalent party in this Kingdom, and now are possessed of and do exercise the Supreme Power therein, as if the right of Sovereignty were vested in them : or else, the whole entire Body of the English Nation, as it is a Civil Society or State within itself, distinguished from all other Foreign Estates. Taken in the former sense, the fidelity promised to the Commonwealth relateth directly to the upholding of that party who are the present Governors *de facto*, and importeth§ subjection to them as *de jure*; but taken in the latter, it relateth to the|| safety of the Nation, and importeth no more as to the present Governors, but to live peaceably under them *de facto*, and to yield obedience to them in things absolutely necessary for the upholding Civil Society within the Realm : such as are specially¶ the

Edd. ‘are yet two things.’ The word ‘yet’ has had a pen drawn twice through it in the Original.

* ‘what the different constructions are.’ In previous Edd. ‘what different constructions.’

† In previous Edd. there follows here :

‘1. First, In the words ‘true and faithful.’ By which may be intended, either the promise of that Fidelity and Allegiance, which was formerly acknowledged to be due to the King, &c, to be now performed to those that are presently possessed of the Supreme Power, as their right and due. Or else the promise of such a kind of fidelity, as captives taken in war promise to their enemies when they fall under

their power : viz. to remain true prisoners of war, and so long as they are in their power, not to attempt any thing to their destruction.’

The whole of this Paragraph was crossed out in the Original.

‡ This paragraph, as originally written, commenced, ‘Secondly, In the word Commonwealth,’ as in the previous Edd. But, when Sanderson saw reason for omitting the matter immediately preceding, he made the alteration exhibited above.

§ ‘importeth.’ In previous Edd. ‘imports.’

|| ‘relateth to the.’ In previous Edd. ‘relateth the.’

¶ ‘specially.’ This word does not appear in the previous Edd.

defence of the Nation against Foreigners, the furtherance of Public Justice, and the maintenance of Trade.

2. In the words 'As it is now established,' &c; which may be understood either by way of approbation of what hath been done for* abolishing of Kingly Government, and of the House of Peers, and placing all Authority and Power within this Realm in the House of Commons, or other pretended Representatives of the People.† Or else ἐξηγητικῶς only, as a clause simply and barely reciting what manner of Government it is, that this Nation *de facto* is now under: viz. a Government by the Commons only, without either King or House of Lords.

3. Thirdly,‡ in the words 'True and faithful.' By which may be understood either, 1^o. the Promise of that Fidelity or Allegiance (which was formerly sworn or acknowledged to be due to the King &c.) to be henceforth performed to those that are presently possessed of the Supreme Power within this Realm, as their right and due. 2^o. Or secondly, the Promise of that Fidelity which every good Patriot oweth to the Commonwealth whereof he is a member, (be the Government thereof for the present what it will, or in whatsoever hands it be, or howsoever acquired, whether rightly or by usurpation,) in endeavouring faithfully, according to his calling and condition, to maintain the safety of the Nation, by resisting and helping§ to suppress all whether foreign invasions or intestine conspiracies and commotions which shall be raised for the further enslaving or embroiling the same, by seeking forcibly to set up the Interest of a third Party that neither have right unto nor are in possession of the Supreme Power: as also to further the administration of public Justice, by endeavouring to have malefactors apprehended and punished, and to uphold the freedom of Trade and Commerce; whereby the lives, livelihoods, rights, and liberties of his compatriots and fellow-subjects may be the better secured, and protected from violence and wrong. 3^o. Or thirdly, the Promise of such a kind of Fidelity to the present Government, as captives taken in

* 'done for.' In previous Edd. 'done by way of.'

† 'or other pretended Representatives of the People.' These words do not appear in previous Edd.

‡ '3. Thirdly,'—'under the pre-

sent Government.' p. 30. These two Paragraphs are inserted from the Lincoln College MS.

§ 'helping (to his power)' originally written, but the pen drawn through the latter words.

War promise to their enemies when they are fallen under their power, viz. to remain true prisoners of War, and, so long as they are under their power, not to attempt any thing to their destruction.

Of which three Interpretations, the First intendeth chiefly the present Governors; for howsoever the pretensions are for the Commonwealth, yet really they mean thereby themselves only, and not all the Commonwealth otherwise than in name and for a pretence: as in that other great Mystery of Iniquity, the Papacy, the Catholic Church, so mightily cried up, is really and in effect no more but the Pope only. The Second intendeth the Commonwealth itself or Nation precisely, without relation to the Governors either *de jure* or *de facto*. The Third intendeth the Commonwealth also or Nation, but as relating unto and standing under the present Government.

These Ambiguities* considered, the highest Construction that can be reasonably made of the words, is to this effect. ‘I acknowledge the Sovereign Power of this Nation, whereunto I owe Allegiance and Subjection, to be rightly vested† in the House of Commons, or Representatives of the People now sitting and enacting at Westminster,‡ wherein neither King nor Lords, as such, have, or henceforth ought to have any share. And I promise that I will perform all Allegiance and Subjection thereunto, and maintain the same with my fortunes and life to the uttermost§ of my power.’

And the lowest Construction that can be reasonably made of the same words, is to this effect. ‘Whereas for the present the Supreme Power of this Commonwealth|| is actually possessed and exercised by the House of Commons, without either King or Lords, I promise that whilst the Government continueth so established, I will notwithstanding endeavour myself¶ faithfully in my place and calling, to do what every good

* ‘These Ambiguities.’ In previous Edd. ‘Which Ambiguities.’

† ‘vested.’ Sanderson first wrote ‘stated,’ as in previous Editions, but afterwards drew his pen strongly through it, and interlined ‘vested.’

‡ In previous Edd. ‘Commons, wherein.’

§ ‘uttermost.’ In previous Edd. ‘utmost.’

|| ‘of this Commonwealth.’ In

previous Edd. ‘in England, under which Power I now am,’

¶ ‘I promise—myself.’ Originally this stood as in previous Edd. ‘I promise that so long as I live under that power and protection, I will not contrive or attempt any act of hostility against them; but living quietly and peaceably under them, will endeavour myself.’ Then, at first, Sanderson interlined as a sub-

member of a Commonwealth ought to do for the safety of my Country, and preservation of Civil Society therein.'

Between which two* there seemeth to be a middle Construction very reasonable also, and obvious to every man's understanding: as thus. 'Whereas the Government of this Commonwealth of England, so far as it standeth presently established, is administered and exercised without either King or Lords, I do faithfully promise, so long as I live under the present Power and enjoy the benefit of their protection, that I will not do any act of hostility against them, nor contrive or attempt any thing to their destruction; but living quietly and peaceably under them, will endeavour in my place and calling to do what to my best understanding shall appear requisite to be done for the safety of my Country, and the maintenance of Civil Society within the same.'

V. Now cometh in to be considered in the last place the great Question, which of the three† Constructions is it, (that which bindeth to the Most, or one of these which oblige to the Least, the words can well bear) the Framers‡ of the Engagement did rather intend to declare by these words? They that think the former, want not probability of reason to ground their persuasion upon. For they consider, that those who are presently possessed of the Supreme Power, are not minded to part with it if they can hold it. And that the likeliest way to hold it is, if they can possibly bring the whole people of England, or at least the far greatest part thereof, to acknowledge that they are rightly possessed of it, and to promise Subjection and Allegiance unto them as such. And that therefore the Engagement, being purposely devised and set a foot§ as the fittest engine to expedite that work, must in all reason intend to oblige so far. Which being so contrary to their

stitute for the first clause, 'so long as I live under their power and protection,' these words, 'till the Government be otherwise exercised:' afterwards he drew his pen through this interlined correction, and substituted for the whole passage the words exhibited above.

* 'Between which two—within the same.' This entire Paragraph is inserted from the Lincoln College MS.

† 'which of the three,' &c. So corrected by Sanderson from the form originally written, which is exhibited in the previous Editions: 'whether of the two constructions it is, (that which bindeth to the Most, or this which obligeth' &c.

‡ 'Framers.' In previous Edd. 'formers.'

§ 'a foot.' In previous Edd. 'on foot.'

judgment and persuasion, concerning the duty and Oath of Allegiance, I cannot blame those that so understand the words of the Engagement, if they abominate the very thought of taking it.

But there wanteth not great probability of reason on the other side, to induce us to believe that the latter and lower sense is rather to be deemed the immediate and declared intent of the Imposers. Although from the ground of the persuasion now last alleged it cannot be much doubted, but that it was in their Vote and Design, and consequently more agreeable* to their secret, reserved, and ultimate intent; between which two whatsoever difference there is,† the Engager is not concerned in it, or not yet: the Equivocation, whatsoever it be, lieth on the Imposer's part, and therefore ought not to be put on the Promiser's score.‡ That therefore the words of the Engagement according to the declared intent of the Imposers are to be understood in the lowest or at least in the middle sense, there are, amongst other, these Probabilities.§

1. That many prudent and conscientious men of the Royal Party, as well Divines and Lawyers as others, have thus understood it, who, we presume, would not for any outward respect in the world have taken it, if they conceived any more to have been intended in it.

2. That it hath been often|| affirmed, both publicly and privately in several parts of the Kingdom, if we may believe either common fame or the reports of sundry credible particular persons, by those that have persuaded or pressed others to subscribe, that the same is the very true intent and meaning of it, and no other.

3. That if the Imposers had been minded to have declared

* 'Although from the ground' &c. So corrected by Sanderson from the original form given in previous Editions: 'of the Imposers, whatsoever cause of suspicion there may be that the former meaning may be more agreeable' &c.

† 'whatsoever difference there is.' In the first instance this was written as it appears in previous Editions: 'between which two if there be any difference, (as it is not impossible but there may be,) the Engager' &c.

‡ 'the Equivocation,' &c. In the first instance, as in previous Edd., 'the Equivocation, if there be any in that, must be put upon the Imposer's, not on the Promiser's score.'

§ 'That therefore—these Probabilities.' Originally written, as given in previous Edd., 'For thus believing there are amongst other these Probabilities.'

|| 'been often.' In previous Edd. 'often been.'

an intent of binding to More, it had been the easiest thing in the world for them to have framed* the words so as not to be capable of a construction binding to Less.

4. That, as is also credibly reported, whilst the form of words was under debate, the opinion of those that would have had it set higher, (viz. 'I promise to be faithful to the Commonwealth of England, and to maintain the same as it is now established against King and Lords,')† was not followed, as held unseasonable; and the vote carried, for the more moderate expression wherein it now standeth.

5. That the Imposers, intending by the Engagement to secure themselves at the most but‡ against the designs and attempts of those men, who they knew well enough hold them for no other than Usurpers, must be in reason supposed to require no more assurance of them by the Engagement, than such as may and is usually given to Usurpers; which is, not an acknowledgment of their title, and a promise of Allegiance, but merely and at the most§ a promise of living quietly, so long as they are under their power, and enjoy their protection.

6. That it is a received Maxim of Political Prudence, for all new Governors, (especially those that either|| introduce a new form of Government, or come in upon a questionable Title,) to abstain from all harsh proceedings, even against those whom they know to be evil affected to their power, and not so much as to exasperate them, (though it be in the power of their hands to destroy them,) especially in the beginning of their Government, but rather to sweeten them into a better opinion of their persons, and to win upon them by Acts of Grace and Oblivion; for *Remissius imperanti melius paretur*.^a So as they may have but any tolerable kind of assurance from them in the mean time, of living quietly and peaceably under them. We have no reason therefore to believe that the Imposers of this Engagement, who have acted the parts of the greatest

* 'it had been—framed.' Originally written, as given in previous Edd., 'they might easily have framed.'

† The words within this parenthesis were added by Sanderson in the margin. They do not appear in previous Editions.

‡ 'at the most but.' In previous Edd. 'especially.'

§ 'and at the most.' These words do not appear in previous Edd.

|| 'those that either.' So corrected by Sanderson from 'if they.'

^a Seneca, de Clem. i. 24.

Politicians so perfectly and successfully hitherto, as to possess themselves so fully of the Supreme Power of so great and flourishing* a Kingdom in so few years, would† be so impolitic as not to proceed by the same rules, that all wise and successful persons have ever practised in the managing and for the establishing of an Acquired Power.

VI. Out of all these Premises together, waiving‡ any positive Conclusion, either Affirmative or Negative, touching the Lawfulness or Unlawfulness of subscribing *in universali*, I shall declare my opinion only in these few following particulars.

1. That it is not lawful for any man to take the Engagement with a resolution to break it.

2. That therefore, whosoever thinketh the words of the Engagement do contain a promise of any thing which is not lawful for him to perform, cannot take it with a good Conscience.

3. That whosoever so understandeth the words of the Engagement, as if they did oblige him to any thing contrary to his Allegiance, or render him unable to act according thereunto, upon any seasonable emerging occasion, cannot with a good Conscience take it.

4. That if any man for any temporal benefit, or avoiding of any temporal damage, shall take the Engagement with a doubting Conscience, that is, before he be persuaded in his judgment, upon some probable ground of reason, that it is lawful for him so to do, he sinneth therein.

5. That if any man, after a serious desire and moral endeavour§ of informing himself as rightly and impartially|| as he can, what are the duties and obligations¶ of his Allegiance on the one side, and what is most probably the meaning intended by the words of the Engagement on the other side, shall find himself well satisfied in this persuasion, that the performance

* 'flourishing.' Originally written 'famous.'

† 'would.' Originally written 'should.'

‡ 'waiving.' In the Original 'wayving.' Previous Edd. 'weighing.'

§ 'and moral endeavour.' Not in previous Edd.

|| 'and impartially.' Not in previous Edd.

¶ 'and obligations.' Not in previous Edd.

in the mean time of what is required by the Engagement, so understood as he apprehendeth it ought to be,* is no way contrary (for any thing he can discern for the present) to his bounden Allegiance, so long as he is under such a force, as that he cannot exercise it; and likewise, that whensoever that force is so removed from him, or he from under it, as that he hath power to act according to his Allegiance, the Obligation of the Engagement of itself determineth and expireth; and out of these considerations, rather than suffer extreme† prejudice in his Person, Estate, or necessary Relations, shall subscribe the Engagement; since his own heart condemneth him not, neither will I.

SIR,

I HAVE now two requests to you, which I doubt not but you will think reasonable. The one, that whatsoever use you shall please to make of these papers, or any thing therein contained, for your own, or any friend's satisfaction, yet you would not deliver any copies abroad, lest they should come to be printed, as some other papers of mine, written in this manner, have been without my knowledge. This I desire, both in respect of the danger I might incur from the displeasure of the Potent Party, if any such thing should come abroad; as also lest upon the consideration of some things here hinted, they might think the words of the Engagement too light, and might thence take occasion to lay some heavier Obligation upon us, in words that should oblige to More. The other request is, that since I have not another‡ perfect copy of what I now§ send you, you would procure|| it to be transcribed for me; and either the copy so transcribed, or these very papers rather, when you have transcribed them, transmit inclosed in a Letter, or by some Friend that will be sure to deliver them safe, with his own hands, to

* 'as he apprehendeth it ought to be.' Not in previous Edd.

† 'suffer extreme,' &c. Sanderson wrote in the first instance: 'than suffer himself to be undone.'

‡ 'another.' In previous Edd.

'any other.'

§ 'I now.' In previous Edd.

'now I.'

|| 'procure.' In previous Edd.

'command.'

my son Robert Sanderson, an Apprentice at the Nag's Head in Pater Noster Row, to whom * I shall write shortly that he may expect them.

Sir, I desire that my best respects may be heartily † presented to the good Gentlewoman, ‡ Mrs. Fell, to whom and all hers I wish much comfort and happiness. The like to you and yours, desiring your prayers. God endue us all with Grace and Wisdom fit for these evil times; to whose Mercy and Blessing commend us all. I rest,

Your Loving Friend and Servant,

ROBERT SANDERSON. §

Dec. 20, 1650.
Botheby Paynell. ||

<p>* 'to my son—to whom.' Previous Edd. have only 'to my son—in London, to whom.'</p> <p>† 'heartily.' Not in previous Editions.</p> <p>‡ 'to the good Gentlewoman,' &c.</p>	<p>In previous Edd. 'presented, &c. God endue us'....</p> <p>§ The name is not subscribed in previous Editions.</p> <p> In previous Edd. 'B.P. Dec. 20. 1650.'</p>
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THE CASE OF
THE USE OF THE LITURGY,

STATED IN THE LATE TIMES.*

SIR,

WHEREAS you are desirous to know what my judgment and practice is concerning the using or forbearing of the established Liturgy, either in whole or in part, in the public Service of God and Offices of the Church, if that may be any satisfaction to yourself or friend, I shall fully acquaint you with what my practice is,† (whereunto if my judgment be not conformed, I am without all escape mine own condemner,) and upon what con-

* This Title must have been prefixed after the Restoration. 'in the late times stated' would seem the more natural order for the concluding words. The Cambridge Version has 'in nuperis temporibus determinatus.'

A transcript of this Case in cccxxxix of the MSS. in New College Library, p. 119, is headed: 'Dr. Sanderson's Resolution of the Case concerning officiating in public otherwise than is prescribed by the Liturgy.'

Another, in B. 2. 12. of the MSS. in the Library of C. C. C., thus: 'The Case of using or forbearing the Established Liturgy stated and resolved.'

A third, in P. 18. of the Queen's College MSS. f^o. 183, has this heading in the handwriting of Bp. Barlow: 'Dr. Sanderson's Answer to a Case of Conscience, proposed in the time of the War, 1652, about reading or omitting the forms in our Liturgy.'

Bp. Barlow also prefixed this interesting 'Memorandum.'

'That Mr. Hen. Bankes, Fellow of Winchester Coll. Nov. 16, 1670, gave me this account of the follow-

ing Case. Some of the most eminent Divines of the Church of England met in London, Anno 1652, and determined to excommunicate all those who forbore reading the Common Prayer: because, by such compliance with an Ordinance of Parliament, they did actually disobey the Established Law, and disown their allegiance to their lawful though depressed Sovereign, and their obedience to the Bishops and Church of England. But hearing of Dr. Sanderson's practice, they suspended the business till his judgment could be had. The return he made them was that which here follows; which being received by them and read, it put an end (and with good reason it might) to their design. *Vera an secus sit haec Historiola, judicent alii. Certe a Viro docto ac fide digno illam habui.*'

This Case appeared separately in 8vo, in 1678, with the Title, 'Bishop Sanderson's Judgment concerning Submission to Usurpers,'—less correctly printed than in its place among the Cases of Conscience.

† So C. C. C. 'what my practice is,' Qu. and New. 'with my practice, is,' in previous Editions.

siderations* I have, according to the variation of times, varied myself therein.

So long as my Congregation continued unmixed with Soldiers, (as well after as before the promulgation of the Ordinance of the two Houses, † for the abolishing of Common Prayer,) I continued the use of it, as I had ever formerly done in the most peaceable and orderly times, not omitting those very Prayers, the silencing whereof I could not but know to have been chiefly aimed at in the Ordinance, viz. those for the King, the Queen, and the Bishops. And so I did also, though some Soldiers were casually present, till such time as a whole Troop coming to quarter in the Town, with a ‡ purpose to continue a kind of Garrison or Head-quarters among us, were so enraged at my reading of it the first Sunday after they came, that immediately after Morning Service ended, § they seized on the Book and tore it all to pieces.

Thenceforward, during their continuance here for full six Months and upwards, (viz. from the beginning of November, till they were called away to Naseby-fight in May following,) besides that for want of a Book, of necessity I must, I saw that it behoved me also, for the preventing of further outrages, to waive the use of the Book for the time, at least in the ordinary Services; only I read the Confession, the Lord's Prayer, with the Versicles and the Psalms for the day; and then, after the First Lesson in the Forenoon, *Benedictus* or *Jubilate*, and in the Afternoon *Cantate*. After the second Lesson also in the Forenoon, || sometimes the Creed, sometimes the Ten Commandments, and sometimes neither, but only sang a Psalm, and so to Sermon. But all that while, in the Administration of the Sacraments, the Solemnization of Matrimony, Burial ¶ of the Dead, and Churching of Women, I constantly used the ancient forms and rites to every of them respectively belonging, according to the appointment in the Book. Only I was careful in all the rest to make choice of such times and opportunities, as I might do them with most secrecy and without disturbance

* 'considerations.' So Qu. and C. C. C. In New Coll. 'consideration,' as in previous Editions.

† January 3, 1645.

‡ So in Qu., New, and C. C. C. In Edd. 'who on purpose . . . Garri-

son among us or Head quarter.'

§ 'ended' in all three MSS. Not in previous Edd.

|| 'Forenoon.' In New Coll. 'afternoon.'

¶ 'Buryings,' New Coll.

of the Soldiers. But at the celebration of the Eucharist I was the more secure to do it publicly, because I was assured none of the Soldiers would be present.

After their departure I took the liberty to use either* the whole Liturgy, or but some part of it, omitting sometimes more, sometimes less, upon occasion, as I judged it most expedient, in reference to the Auditory, especially if any Soldiers or other unknown persons happened to be present. But all the while, the substance of what I omitted I contrived into my Prayer before Sermon, the phrase and order only varied; which yet I endeavoured to temper in such sort, as that any person of ordinary capacity might easily perceive what my meaning was; and yet the words left as little liable to exception or cavil as might be.

About nigh† two years ago, I was advertised (but in a very friendly manner) by a Parliament man of note in these parts, that at a public meeting in Grantham great complaint was made by some Ministers (of the Presbyterian gang, as I afterwards found) of my refractoriness to obey the Parliament's Order in that behalf. The Gentleman told me withal, that although they knew long before what my judgment and practice was, yet they were not forward to take notice of it before complaint made, which being now done in so public manner, if they should not take knowledge of it, the blame would lie upon them: he therefore‡ advised me to consider well what I had to do; for I must resolve either to adventure§ the loss of my Living, or to lay aside Common Prayer, which if I should continue, after complaint and admonition, it would not be in his power, nor in the power of any friend I had to preserve me. The effect of my then answer was, that if the case were so, the deliberation was not hard: I having long ago considered of|| the case, and resolved what I might with a good Conscience do, and what were fittest¶ for me in prudence to do, if I should ever be put to it, viz. to forbear the use of the

* 'to use either.' So Qu. and C.C.C. 'either to use' New Coll. Edd. of the Cases have not the word 'either,' but it is in all the MSS.

† 'About nigh.' So New Coll. and Edd. 'About two' Qu. and C.C.C.

‡ 'therefore.' So Qu. and C.C.C.

'thereupon' New Coll. 'also' in previous Editions.

§ New Coll. 'venture.'

|| 'considered of.' So all three MSS. 'considered' Edd.

¶ New Coll. 'fittest for me to do, if I were put to it.'

Common Prayer Book, so far as might satisfy the letter of the Ordinance, rather than forsake my station.

My next business then was, to bethink myself of such a course to be thenceforth* held in the public worship in my own Parish, as might be likeliest neither to bring danger to myself by the use, nor to bring scandal to my brethren by the disuse of the established Liturgy. And the course was this, to which I have held me ever since.

I begin the Service with a preface of Scripture, and an exhortation inferred thence to make Confession of sins; which exhortation I have framed out of the Exhortation and Absolution in the Book contracted and put together, and expressed for the most part in the very same words and phrases, but purposely here and there transplaced, that it might appear not to be, and yet to be the same.

Then follows the Confession itself in the same order it was, enlarged only with† the addition of some words, whereby it is rather explained than altered; the whole Form whereof, both for your fuller‡ satisfaction in that particular, and that you may partly conjecture what manner of addition or change I have made proportionably hereunto, (yet none so large) in other parts of the holy Office, § I have here underwritten :

*O Almighty God and merciful Father, we Thy unworthy servants do with shame and sorrow confess, that we have all our life long gone astray out of Thy ways like lost sheep, and that, by following too much the vain devices|| and desires of our own hearts, we have grievously offended against Thy holy Laws, both in thought, word, and deed. We have many times left undone those good duties¶ which we might and ought to have done; and we have many times** done those evils, when we might have avoided them, which we ought not to have done. We confess, O Lord, that there is no health at all in us, nor help in any creature to relieve†† us. But all our hope is in Thy mercy, whose justice we have by our sins so far provoked. Have mercy upon us therefore, O Lord,*

* 'thenceforth.' So the three MSS. In previous Edd. 'thenceforward.'

† 'with.' 'by' Qu.

‡ 'fuller.' 'farther' Qu.

§ 'in other—Office.' These words do not appear in the New Coll. MS.

|| 'vain devices.' So C.C.C. In New

Coll. 'vain desires and devices.' Qu. and the Edd. have not the word *vain*.

¶ 'duties.' All three MSS. 'things' Edd.

** 'have many times.' 'many times have' Qu.

†† 'relieve.' 'deliver' Qu.

have mercy upon us, miserable offenders. Spare us, good Lord, which confess our faults, that we perish not; but according to Thy gracious Promises declared unto mankind in Christ Jesus our Lord, restore us, upon our true repentance, to Thy grace and favour. And grant, O most merciful Father, for His sake, that we henceforth† study to serve and please Thee, by leading a godly, righteous, and sober life, to the glory of Thy holy Name, and the eternal comfort of our own souls, through Jesus Christ our Lord. Amen.*

After this Confession, the Lord's Prayer, with the Versicles and *Gloria Patri*, and then the Psalms for the day, and then the first Lesson; after which in the Forenoon‡ sometimes *Te Deum* (but then only when I think the Auditory will bear it), and sometimes an Hymn of my own composing, gathered out of the Psalms and the Church Collects, as§ a general Form of Thanksgiving, which I did the rather, because some have noted the want of such a Form as the only thing wherein our Liturgy seemed to be defective;|| and in the Afternoon, after the first Lesson, the ninety-eighth or the sixty-seventh Psalm. Then the second Lesson, with *Benedictus* or *Jubilate* after it in the Forenoon, and in the Afternoon a singing Psalm.¶ Then followeth the Creed with *Dominus vobiscum*, and sometimes the Versicles in the end of the Litany, 'From our Enemies defend us,' O Christ, &c. if I like my Auditory: otherwise I omit these Versicles.

After the Creed, &c. instead of the Litany and the other** Prayers appointed in the Book, I have taken the substance of the Prayer I was wont to use before Sermon, and disposed it into several Collects or Prayers, some longer and some shorter, but new modelled†† into the language of the Common Prayer Book, much more than it was before. And in the Pulpit before Sermon, I use only a short Prayer in reference to the

* 'offenders which confess,' Qu. 'O Lord, which confess,' New Coll.

† 'that we henceforth.' So C.C.C. and Qu. Coll. 'that we may henceforth' New Coll., as in previous Edd.

‡ 'Forenoon.' So in all the MSS. The previous Editions have 'Afternoon.'

§ 'as.' 'and' Qu. Coll.

|| Our present General Thanksgiving, it will be remembered, was not inserted till the last Review of the Book of Common Prayer, ten years later than the date of the drawing up of this Case.

¶ 'A Psalm sung' Qu. Coll.

** 'and other' C.C.C.

†† 'new modelled.' 'modelled' Qu. and New Coll.

hearing of the Word, and no more: so that upon the matter in* these Prayers, I do but the same thing I did before, save only that what before I spake without Book, and in a continued Form and in the Pulpit, I now read, out of† a written Book, broken into parcels, and in the Reading Desk or Pew.

Between which Prayers and the singing Psalm before the Sermon, I do also‡ daily use one other Collect, of which sort I have for the purpose composed sundry made up as the former for the most part out of the Church Collects, with some little enlargement or variation, as, namely, Collects Adventual, Quadragesimal, Paschal, and Pentecostal for their proper seasons; and at other times Collects of a more general nature, as for Pardon, Repentance, Grace, &c.§ And|| after one or more of them in the Forenoon I usually repeat the Ten Commandments with a short Collect after for Grace to enable us to keep them.

This hath been my practice, and is like still to be, unless some happy change¶ of affairs restore us the liberty of using the old way again, or it be made appear to my understanding by some able charitable Friend, that I have therein done otherwise than I ought to have done; for I may say truly, I have not yet met with any thing in discourse either with my own reason or with others, of sufficient strength to convince me, that I have herein done any thing but what may stand with the Principles as well of Christian Simplicity as Prudence.

There are but three things that I know of, that are of any** consideration, opposed, viz.

1. The Obligation of the Laws.
2. The Scandal of the Example.
3. An unseemly symbolizing, at least, with Schismatics, if not a partaking with them in the Schism.

I. Objection, Law.

The first and strongest Objection, which I shall therefore propose to the most advantage of the Objectors,†† is, that which

* 'so that in the matter of' New Coll.

† 'read in' C.C.C. 'read, and in' Qu. Coll.

‡ 'also.' This word does not appear in the Qu. Coll. or C.C.C. MS.

§ '&c.' Not in Qu.

|| Qu. Coll. 'Or.'

¶ 'some happy change.' 'some change' C.C.C.

** 'any.' In all three MSS. Not in previous Edd.

†† 'best advantage of the Objection,' Qu. Coll.

is grounded upon the Laws and their obligation; for it may be objected,

That every human Law rightly established, so long as it continueth a Law, obligeth the Subject, and that for Conscience sake, to the observation thereof, in such manner and form as in the said Law is prescribed, and according to the true meaning and intention* of the Lawgiver therein.

That a Law is then understood to be rightly established, when it containeth nothing but what is honest and lawful, and is enacted by such person† or persons as have full and sufficient authority to make Laws.

That a Law so established continueth a Law and is in force, till it be either repealed by as good and full authority as that by which it was made, or else antiquated, by a long continued,‡ unenforced disuse, with the tacit or presumed consent of the Lawgiver.

That the Act printed before the Common Prayer Book, and entituled, ‘An Act for the Uniformity of’ &c, was such a Law; being it was established§ in a full and free Parliament, and in peaceable times,|| and ratified by the Royal Assent.

That it still continueth in force, being not yet repealed, but by such persons as, at least in the opinion of those who maintain the dispute, for want of the Royal Assent have not a sufficient right or authority to do such an act; nor disused, but of late times,¶ and that by enforcement, and, as is presumed, much against the mind and will of the Lawgiver.

That therefore it still retaineth the power of obliging in point of Conscience; that power being so essential and intrinsecal to every Law, *quatenus* a Law, that it can in no wise be severed from it.

And that therefore** no Minister publicly officiating in the Church can with a good Conscience either omit any part of that which is commanded by the aforesaid Law, or use any other Form than what is contained in the aforesaid Book; but must either use the Form prescribed in the Book, or else forbear to officiate.

* So Qu. Coll. and C.C.C. ‘true meaning of the Lawgiver’ New Coll. § ‘established.’ ‘published’ in New Coll.

Coll.

† ‘person.’ ‘power’ New Coll.

|| In the first year of Elizabeth.

‡ ‘continued.’ ‘continual’ Qu.

¶ ‘time’ Qu. Coll. and C.C.C.

** ‘therefore’ inserted from C.C.C.

The answer to this Objection, granting all in* the premisses besides, dependeth upon the right understanding of that which is affirmed concerning the Obligation of Laws, according to the intention of the Lawgiver; which, if it should be understood precisely of that particular, actual, and immediate intention which the Lawgiver had in the making of any particular Law, and is sufficiently declared by the words of the Law, in which sense only the Objection proceedeth, will not hold true in all cases. But there is supposed, besides that, in the Lawgiver a more general, habitual, and ultimate intention, of a more excellent and transcendent nature than the former, which is to have an influence into and an over-ruling power over all particular† Laws, viz. an intention by the Laws to procure and promote the public good. The former intention bindeth where it is‡ subservient to the latter, or consistent with it, and consequently bindeth in ordinary cases and in orderly times; or else the Law is not a wholesome Law. But where the observation of the Law, by reason of the conjuncture of circumstances or the iniquity of the times, (contingencies which no Lawgiver§ could either certainly foresee, or if foreseen sufficiently provide against,) would rather be prejudicial than advantageous to the Public, or is manifestly attended with such inconveniences, and sad consequents to the observers, as all the imaginable good that can redound to the Public thereby cannot in any reasonable measure countervail, in such case the Law obligeth not, but according to the latter and more general|| intention only. Even as in the operations of Nature, particular Agents do ordinarily move according to their proper and particular inclinations, yet upon some occasions, and to serve the ends and intentions of Universal¶ Nature, for the avoiding of some thing which Nature abhorreth, they are sometimes carried with motions quite contrary to their particular natures, as the fire** to descend, and the water to ascend, for the avoiding of vacuity, &c. The common received Maxim, which hath been sufficiently misapplied and that sometimes to very evil purposes, since the beginning of these unhappy Divisions, in

* 'in' inserted from C.C.C.

† 'particular.' This word, given in all three MSS., does not appear in any of the Editions.

‡ 'where it is,' 'if it be' Qu. Coll.
§ 'Lawgiver,' 'Lawyer' New Coll.

|| 'and more general.' 'and general' Qu. Coll.

¶ 'Universal.' Not in New Coll.

** 'fire.' So New Coll. 'Air' in Qu. and C.C.C. as in previous Edd.

the true meaning of it looketh this way, *Salus Populi suprema Lex*.* The equity of which Maxim, as it leaveth in the Lawgiver a power of dispensing with the Law, which is a suspending of the obligation thereof for the time, in respect of the proper and particular intention, as he shall see it expedient in order to the public good, so it leaveth in the Subject a liberty upon just occasions, as in cases of great exigency, and for the preventing of such hazards and inconveniencies as might prove of noisome consequences to the Public, to do otherwise than the Law requireth. And neither is the exercise of that power in the Lawgiver to be thought an unreasonable Prerogative, nor the use of this liberty in the Subject an unreasonable presumption: inasmuch as the power of dispensing with particular Laws is such a Prerogative, as without which no Commonwealth can be well governed, but Justice would be turned into gall and wormwood. Nor can the Supreme Governor, without forfeiture of that faithfulness which he oweth to the Public Weal, divest himself thereof. And he that presumeth of the Lawgiver's consent to dispense with him for the observing of the Law in such needful cases,† where he hath not the opportunity to consult his pleasure therein, presumeth no more than he hath reason to do; for it may well be presumed, that the Lawgiver, who is bound in all his Laws to intend the safety of the Public, and of every member thereof in his due proportion, hath no intention by the strict‡ observation of any particular Law to oblige any person, who is a member of the Public, to his destruction or ruin, when the common good is not answerably promoted thereby. Upon which ground it is generally resolved by Casuists, that no Constitution,§ merely human, can lay such obligation upon the conscience of the Subject, but that he may, according to the exigency of circumstances, do otherwise than the Constitution requireth: provided it be done *extra casum scandali et contemptus*, that is to say, without either bewraying in himself any contempt of the authority of the Lawgiver by his carriage, or giving any just occasion of scandal to others by his example, in so doing.

I have been somewhat|| the larger in explaining this point,

* See De Conscientia, Prael. x.

† 'with him for needful cases'
New Coll.

‡ 'strict,' inserted on the autho-

riety of all three MSS.

§ 'Constitution.' So in all three
MSS. 'Consultation' Edd.

|| 'somewhat.' 'so much' Qu.

not only for the better clearing of the present* doubt, but also in respect of the usefulness of this consideration, for the preventing and removing of many scruples that may happen† to conscientious men in such times as these, wherein so many things are, and are like to be, commanded and forbidden contrary to the established Laws, and those, as they are persuaded, yet standing in force. The best Rule that I know‡ to guide men in their deliberations and actions, in such emergent cases, according to what hath been already delivered,§ is advisedly and unpartially to weigh the benefits and inconveniencies, as well on the one side as on the other, and then compare them the one with the other, as they stand in relation to the public good. And if, after such examination and comparison made, it shall then evidently, or but in the judgment of probability, appear, that the observation of the Law, according to the proper intention|| of the Lawgiver therein, though with hazard of estate, liberty, or even life itself, hath a greater tendency to the public good, and the preservation of Church or Commonwealth in safety, peace, and order, than the preventing of the aforesaid hazards, or other evil consequents, by doing otherwise than the Law requireth, can have; or, which cometh to one, if the violating of the Law shall then appear to be more prejudicial to the public good than the preservation of the Subject's estate, liberty, or life, can be beneficial thereunto; in such case the Subject is bound to hazard all he hath, and to undergo whatsoever inconveniencies or calamities can ensue thereupon, rather than violate the Law with contempt of that authority¶ to which he oweth subjection. But if it shall, after such comparison made, evidently, or but more probably than the contrary, appear, that the preservation of such a person's life, liberty, or estate, would more benefit the Church or Commonwealth, than the punctual observation of the Law at that time, and with those circumstances, would do, it were an unseasonable,** unreasonable, and pernicious scrupulosity for such a person to think himself in

* 'present.' So C.C.C. and Qu.
 'this doubt' New Coll. - 'the said
 doubt,' previous Edd.

† 'happen.' 'arise' Qu.

‡ 'know.' 'know of' Qu.

§ 'according to what hath been
 already delivered.' This clause is

inserted from Qu. and C.C.C.

|| 'intention.' 'intent' Qu.

¶ 'that authority.' 'that human
 authority' Qu.

** 'unseasonable,' C.C.C. and
 'Judgment concerning Submission
 to Usurpers.'

that case obliged, for the observing of the Law, perhaps but once or twice, with little or no benefit to the Public, to ruin himself, whereby* to render himself unuseful and unserviceable to the Public for ever after.

To bring this discourse home, and to apply it to the business now† under dispute, suppose we‡ ten, twenty, or an hundred godly Ministers well affected to the established Liturgy, and actually possessed of Benefices, with the charge of souls thereto belonging, should think themselves§ in conscience obliged to use the whole form of the Book, as it is by the Act appointed, without any addition, omission, or alteration whatsoever, and should, notwithstanding the present conjuncture of affairs, resolve to use the same accordingly; it would be well considered, what the effects and consequents thereof would be. Besides other evils, these three are visible, which must all unavoidably follow|| one upon another, if any body shall be found, as doubtless within short time there will be found some¶ or other, to inform and prosecute against them. 1°. The utter** undoing of so many worthy persons fit to do God and His Church service, together with all those other persons that depend upon them for livelihood, by putting the fruits of their Benefices, wherewith they should buy themselves bread, under sequestration. 2°. The depriving of those persons of the opportunities of discharging the duties that belong unto them in their Ministerial Calling, in not permitting them after such sequestration to teach or instruct the people belonging to their charge, or to exercise any thing of their function publicly in the Church. 3°. The delivering over the sheep of Christ, that lately were under the hands of faithful shepherds, into the custody of ravening wolves, when such guides shall be set over the several Congregations as will be sure to misteach them one way or other, viz. either by instilling into them Puritanical and Superstitious Principles, that they may the more securely exercise their Presbyterian tyranny over their judgments, consciences, persons, and estates; or else, by setting up new lights

* 'whereby' all three MSS. In Edd. 'thereby.'

† 'now' in all three MSS. Not in Edd.

‡ 'we.' In all three MSS. Not in Edd.

§ 'themselves,' 'ourselves' Qu. || 'follow, &c,' 'fall one upon another' Qu.

¶ 'some' all three MSS. 'one' Edd.

** 'utter' all three MSS. Not in Edd.

before them, to lead them into a maze of Anabaptistical confusion and frenzy.

These consequents are so heavy to the sufferers, so certain to ensue upon the use of Common Prayer, and so much without the power of the Lawgiver in this state of affairs either to remedy or prevent, that it is beyond the wit of man to imagine, what benefit to the Public can accrue by the strict observation of the Act, that may in any proportion countervail these mischiefs. In which case that man must needs suppose a strange austerity in the Lawgiver, that dares not presume of his consent to disoblige him, for the time, from observing the same.

It would be also well considered, whether he that by his over nice scrupulosity runneth all these hazards be not, in some measure, guilty of his own undoing, of deserting his station, and of betraying his flock; and do not thereby lose much of that comfort which a Christian Confessor may take in his sufferings, when they are laid upon him by the hand of God, and not pulled upon himself with his own hands. And more I shall not need to say as to the first Objection.

II. Objection, Scandal.

The next thing objected is the danger of the Scandal that others might be ready to take at the example, who, seeing the Law so little regarded by such men, (men that have care of souls, and perhaps also of some eminency and esteem in the Church, and whose example will be much looked upon,) will be easily encouraged, by their example, to set light by all authority, and to take the liberty to obey and disobey the Laws of their Sovereign at their pleasure.

But this Objection, after we are once well satisfied concerning the former, need not much trouble us; for,

1. It seemeth a very unreasonable thing in Cases of great exigency, such as we now suppose, that the fear of scandalizing our weak Brethren, which is but *Debitum Charitatis* only, should lay upon us a peremptory necessity of observing* the Law punctually, whatsoever inconveniences or mischiefs may ensue thereupon: whereas the duty of obedience to our known Governors, which is *Debitum Justitiae* also, and therefore

* 'observing.' All three MSS. 'serving,' previous Edd.

more obligatory than the other, doth not impose upon us that necessity, as hath been already shown.

2. Besides, Arguments drawn from Scandal in things neither unlawful nor (setting the reason of Scandal aside) inexpedient, as they are subject to sundry frailties otherwise, so are they manifestly of no weight at all when they are counterpoised with the apparent danger of evil consequents on the other side; for in such cases there is commonly equal danger, if not rather sometimes more, of Scandal to be taken from the example the quite contrary way. We may see it in debating the point now in hand. It is alleged, on the one side, that, by laying aside the use of Common Prayer, men that are not over scrupulous will be encouraged to take a greater liberty in dispensing with the Laws, to the despising both of Laws and Governors, than they ought. And why may it not by the same reason be as well alleged on the other side, that by holding up a necessity of using Common Prayer, men that have tender Consciences may be induced to entertain scruples, to their own undoing and the destruction of their people, when they need not?

3. But that, in the third place, which cometh up home to the business,* and taketh off the Objection clearly, is this, that in judging Cases† of Scandal we are not to look so much at the event, what it is,‡ or may be, as at the cause whence it cometh. For sometimes there is given just cause of Scandal, and yet no Scandal followeth, because it is not taken: sometimes Scandal is taken, and yet no just cause is given; and sometimes there is both cause of Scandal given, and Scandal thereat taken. But no man is concerned in any Scandal that happeneth to another by occasion of any thing done by him, neither is chargeable with it, further than he is guilty of having given it. If then we give Scandal to others and they take it not, the whole guilt is ours, and they are faultless. If we give it and they take it, we are to bear a share in the blame as well as they, and that a deeper share too. *Vae homini, Wo to the man by whom the offence cometh*, Matt. xviii. 7.

* 'business' all three MSS. 'business in hand' Edd.

† 'in judging Cases.' The matter following, as far as the words 'may be taken thereat,' in the mid-

dle of p. 52, reappears, with some variations, for the most part very slight, in the Case of Scandal.

‡ 'look at the event so much, what it is,' Qu. Coll.

But if they take offence, when we give none, it is a thing we cannot help; and therefore the whole blame must lie upon them. Wherefore if at any time any doubt shall arise in the Case of Scandal, how far forth the danger thereof may, or may not oblige us to the doing or not doing of any thing proposed, the resolution will come on much the easier, if we shall but rightly understand what it is to give Scandal, or how many ways a man may become guilty of scandalizing another by his example.

The ways, as I conceive, are but these four.

1. The first is when a man doth something before another man, which is in itself evil, unlawful, and sinful. In which case neither the intention of him that doth it, nor the event as to him that seeth it done, is of any consideration; for it mattereth not whether the doer hath an intention to draw the other into sin thereby or not; neither doth it matter whether the other were thereby induced to commit sin or not. The very matter and substance of the action, being evil and done before others, is sufficient to render the doer guilty of having given Scandal, though neither he had any intention himself so to do, nor was any other person actually scandalized thereby: because whatsoever is in itself and in its own nature evil, is also of itself and in its own nature scandalous, and of ill example. Thus did Hophni and Phineas, the sons of Eli, give Scandal by their wretched* profaneness and greediness about the Sacrifices of the Lord, and their vile and shameless abusing the women, 1 Sam. ii. 17, 22. And so did David also give great Scandal in the matter of Uriah, 2 Sam. xii. 14. Here the Rule is, Do nothing that is evil for fear of giving Scandal.

2. The second way is, when a man doth something before another with a direct intention and formal purpose of drawing him thereby to commit sin; in which case neither the matter of the action nor the event is of any consideration;† for it maketh no difference, as to the sin of giving Scandal, whether any man be effectually enticed thereby to commit sin or not; neither doth it make any difference whether the thing done‡ were in itself unlawful or not, so as it had but an appearance

* 'wretched' all three MSS. Queen's Coll. MS.

† 'wicked' in previous Editions.

‡ 'the thing done.' 'the seeing of the thing done' Qu.

of evil and from thence an aptitude to draw another to the doing of that, by imitation, which should be really and intrinsically evil. The wicked intention alone, whatsoever the effect should be, or what means soever should be used to promote it, sufficeth to induce the guilt of giving Scandal upon the doer. This was Jeroboam's sin in setting up the calves with a formal purpose and intention thereby, for his own secular and ambitious ends, to corrupt the purity of Religion, and to draw the people to an Idolatrous Worship; for which cause he is so often stigmatized with it as with a note of infamy, to stick by him whilst the world lasteth: being scarce ever mentioned in the Scripture but with this addition, *Jeroboam, the son of Nebat, which made Israel to sin*. Here the Rule is, Do nothing, good or evil, with an intention to give Scandal.

3. The third way is, when a man doth something before another, which in itself is not evil, but indifferent, and so according to the rule of Christian Liberty lawful for him to do or not to do, as he shall see cause, yea, and perhaps otherwise commodious and convenient for him to do, yet whereat he probably* foreseeth the other will take Scandal, and be occasioned thereby to do evil. In such case, if the thing to be done be not in some degree, prudentially necessary for him to do, but that he might without very great inconvenience or prejudice to himself or any third person leave it undone, he is bound in charity and compassion to his brother's soul, for whom Christ died, and for the avoiding of Scandal, to abridge himself in the exercise of his Christian Liberty for that time, so far as rather to suffer some inconvenience himself by the not doing of it, than by the doing of it to cause his brother to offend. The very case which is so often, so largely, and so earnestly insisted upon by St. Paul:† See Rom. xiv. 13, 21; xv. 1-3. 1 Cor. viii. 7-13; ix. 12, 15, 19-22; x. 23-33. Here the Rule is, Do nothing that may be reasonably forborne,‡ whereat Scandal will be taken.

4. The last way is, when a man doth something before another, which is not only lawful, but according to the exigencies

* 'probably' not in Qu.

† 'The very case—St. Paul,' not in New Coll.

‡ 'be reasonably forborne.' So the three MSS. In previous Edd. 'easily be forborne.'

of present circumstances, *pro hic et nunc*, very behoveful and even* prudentially necessary for him to do; but foreseeeth that the other will be very like† to make an ill use of it, and take encouragement thereby to commit sin, if he be not withal exceeding careful, as much as possibly in him lieth, to prevent the Scandal that might be taken thereat. For, *Qui non prohibet peccare quum potest, jubet.*‡ In such case the bare neglect of his brother, and not using his uttermost endeavour to prevent the evil that might ensue, maketh him guilty. Upon which consideration standeth the equity of that Judicial Law given to the Jews, Exod. xxi. 33, 34, which ordereth that in case a man dig a pit or well for the use of his family, and, looking no further than his own conveniency, put no cover upon it, but leave it open, whereby it happeneth his neighbour's beast to fall thereinto and perish, the owner of the pit is to make it good, inasmuch as he was the occasioner§ of that loss to his neighbour, which he might and ought to have prevented. Here the Rule is, Order the doing of that which may not well be left undone, in such sort, that no Scandal, so far as you can help it, may be taken thereat.

To apply this. The thing now under debate, viz. the action proposed to present inquiry, is the laying aside of the Common Prayer Book enjoined by Law, and using instead thereof some other form of Church Service of our own devising. And the inquiry concerning it is, Whether it may be done with a good conscience in regard of the Scandal that is given, or, at least, may be taken thereat, yea, or no? Now, forasmuch as in this inquiry we take it for granted, that the thing to be done is not in its own nature and simply evil, but rather, in this state of affairs, prudentially necessary, and that they who make scruple at it upon the point of Scandal have not the least intention of drawing either the Laws into contempt, or their brethren into sin by their example, it is manifest that three of the now|| mentioned Cases, with the several rules to each of them appending, are not pertinent to the present inquiry. But since the last of the four only proveth to be our Case, we have therefore no more to do, for the settling of our Judgments, the

* 'even.' 'very' Qu.

† 'like.' 'likely' New Coll.

‡ See the Case of Scandal, §. 5.

§ 'occasioner.' 'occasion' New Coll.

|| 'now' not in New Coll.

quieting of our Consciences, and the regulating of our Practice in this affair, than to consider well, what the Rule in that Case given obligeth us unto: which is, not to leave the action undone for the danger of Scandal, which, besides the inconveniences formerly mentioned, would but start new Questions, and those* beget more to the multiplying of unnecessary scruples *in infinitum*; but to order the doing of it so, that, if it were possible, no Scandal at all might ensue thereupon, or at leastwise not by our default, through our careless or indiscreet managery thereof. Even as the Jew that stood in need to sink a pit for the service of his house or grounds, was not, for fear his neighbour's beast should fall into it and be drowned, bound by the Law to forbear the making of it, but only to provide a sufficient cover for it when he had made it. The thing then in this Case is not to be left undone, when it so much behoveth us to do it, but the action to be carried on, for the manner of doing, and in all respects and circumstances thereunto belonging, with so much chariness,† tenderness, moderation, and wisdom, to our best understandings, that the necessity of our so doing, with the true cause thereof, may appear to the world, to the satisfaction of those that are willing to take notice of it; and that such persons as would be willing to make use of our example to do the same thing, where there is not the like cause of necessity, may do it upon their own score, and not be able to vouch our practice for their excuse. Which how it may be best done, for particular directions every charitable and conscientious man must ask his own discretion. Some general hints, tending thereunto, I shall lay down in answering the next Objection, where they will fall in again not improperly, and so stop two gaps with one bush.

III. Objection, Schism.

The last Objection is that of Schism. The Objectors hold all such persons as have opposed against either Liturgy or Church Government, as they were by Law established within this Realm, for no better than Schismatics; and truly I shall

* 'those.' 'these' New Coll.

† 'chariness.' So in the Judgement concerning Submission to Usurpers: in the Cambridge Version, *cautela*. Qu. and C.C.C. have

'clearness,' as in the previous Edd. In the New Coll. MS. the words 'with so much—best understandings,' are omitted.

not much gainsay it. But then they argue, that for them to do the same thing in the Public Worship of God, that Schismatics do, and for the doing whereof especially it is that they justly account them Schismatics,* would, as they conceive, involve them in the Schism also, as partakers thereof in some degree with the other. And their Consciences also would, from Rom. xiv. 22, condemn them, either of hypocrisy in allowing that in themselves and in their own practice which they condemn in others, or of uncharitableness in judging others as Schismatics for doing but the same thing which they can allow themselves to practise; for all that such persons as they call Schismatics do in this matter of the Church Service, is but to leave out the Church's Prayers, and to put in their own. Or, say this should not make them really guilty of the Schism they so much† detest, yet would such their symbolizing with them seem,‡ at least, a kind of unworthy compliance with them more than could well become the simplicity of a Christian, much less of a Minister of the Gospel, whose duty it is to shun even the least *appearance of evil*, 1 Thess. v. 22. Besides, that by so doing they should but confirm these men§ in their Schismatical principles and practice.

This Objection hath three branches. To the first whereof I oppose the old saying, *Duo quum faciunt idem non est idem* :|| which although spoken quite to another purpose, yet is capable of such a sense as will very well fit our present purpose also. I answer therefore in short, That to do the same thing that Schismatics do, especially in times of confusion, and until things can be reduced into better order, and when men are necessitated thereunto to prevent greater mischiefs, doth not necessarily infer a partaking with them in Schism: no, nor so much as probably, unless it may appear upon probable presumptions otherwise, that it is done out of the same Schismatical spirit,¶ and upon such Schismatical principles as theirs are.

The other two branches, viz. that of seeming compliance

* 'and for the doing—Schismatics.' Not in New Coll.

† 'so much' in all three MSS. Omitted in many Editions.

‡ 'seem.' 'be' New Coll.

§ 'these men' New Coll. and previous Edd. 'those men' Qu. and

C.C.C. 'such men' Judgment concerning Submission to Usurpers.

|| Compare Sermon i. ad Aulam, §. 18.

¶ 'spirit—Schismatical.' Not in New Coll.

with Schismatics, and that of the ill use they may make of it to confirm them in their Schism, do upon the matter fall in upon the aforesaid point of Scandal, and are in effect but the same Objection, only put into a new dress, and so have received their answer already. And the only remedy against both these fears, as well that of Scandal as this of Schism, is the same which was there prescribed, even to give assurance to all men by our carriage and behaviour therein, that we do not lay aside Common Prayer of our own accord, or out of any dislike thereof, neither in contempt of our lawful* Governors, or of the Laws, nor out of any base compliance with the times, or other unworthy secular own ends,† nor out of any schismatical principle, seditious design, or innovating humour; but merely enforced thereunto, by such a necessity as we cannot otherwise avoid; in order to the glory of God and the public good, for the preservation of our families, our flocks, and our functions, and that with the good leave and allowance, as we have great reason to believe, of such as have power to dispense with us and the Laws in that behalf. This if we shall do *bona fide*, and with our utmost endeavours, in singleness of heart, and with godly discretion,‡ perhaps it will not be enough to prevent either the censures of inconsiderate and inconsiderable persons, or the ill use that may be made of our example through the ignorance or negligence of some, *Scandalum pusillorum*, or through the perverseness and malice of other some, *Scandalum Phariseorum*, as the Schools term them. But assuredly it will be sufficient in the sight of God, and in the witness of our own hearts, and to the Consciences of charitable and considering men, to acquit us clearly of all guilt, either of Scandal or Schism in the least degree.

Which we may probably do by observing these ensuing, and such other like, § general Directions, the liberty of using such meet accommodations as the circumstances|| in particular cases shall require evermore allowed and reserved: viz.

I. If we shall decline the company and society of known Schismatics, not conversing frequently and familiarly with

* 'lawful.' 'rightful' Qu.

tention' previous Editions.

† 'own ends' all three MSS.

§ 'like.' Not in New Coll.

'self ends' in Editions.

|| 'circumstances and cases.' New

‡ 'discretion' all three MSS. 'in- Coll.

them, or more than the necessary affairs of life, and the rules of neighbourhood and common civility will require : * especially not to give countenance to their Church-assemblies, by our presence among them, if we can avoid it.

2. If we shall retain as well in common discourse, as in our Sermons and the holy Offices of the Church, the old Theological and Ecclesiastical terms and forms of Speech, which have been generally received and used in the Churches of Christ, which our people are well acquainted † with, and are wholesome and significant; and not follow our new Masters in that uncouth, affected garb of speech or canting language rather, if I may so call it, which they have of late times taken up, as the signal, distinctive, and characteristical note of that which, in their new language, they call the Godly Party, or Communion of Saints.

3. If in officiating we repeat not only the Lord's Prayer, the Creed, the Ten Commandments, and such other passages in the Common Prayer Book as, being the very words of Scripture, no man can except against; but so much also of the old Liturgy besides, in the very words ‡ and syllables of the Book, as we think the Ministers of State in those parts where we live will suffer, and the Auditory before whom § we officiate will bear; sith the Officers in all parts of the Land are not alike strict, nor the people in all Parishes alike disaffected in this respect.

4. If where we must of necessity vary from the words, we yet follow the order of the Book in the main parts of the holy Offices, retaining the substance of the Prayers, and embellishing those of our own making, which we substitute into the place of those we leave out, with phrases and passages taken out of the Book in other places.

5. If where we cannot safely mention the particulars expressed in the Book, as namely, in praying || for the King, the Queen, the Royal Progeny, and the Bishops, we shall yet use in our Prayers some such general terms, and other intimations

* 'will require.' 'require' New Coll.

† 'with which the people are well acquainted' New Coll.

‡ 'very words,' 'words' New Coll.

§ 'before whom—bear;' not in New Coll.

|| 'in praying' omitted in Qu. and C.C.C.

devised for the purpose, as may sufficiently convey to the understandings of the people, what our intentions are therein, and yet not be sufficient to fetch us within the compass of the Ordinance.

6. If we shall in our Sermons take occasion now and then, where it may be pertinent, either to discover the weakness of the Puritan principles and tenents to the people; or to show out of some passages and expressions in the Common Prayer Book, the consonancy of those observations we have raised from the Text, with the judgment of the Church of England; or to justify such particular passages, in the Litany, Collects, and other parts of our Liturgy, as have been unjustly quarrelled at by Presbyterians, Independents, Anabaptists, or other, by what name or title soever they be called, Puritan Sectaries.

Thus have I freely acquainted you both with my practice and judgment in the point proposed* in your Friend's Letter. How I shall be† able to satisfy his or your judgment in what I have written, I know not. However, I have satisfied both your desire and his in writing, and shall rest,

Your Brother and Servant in the Lord,

ROBERT SANDERSON.

Nov. 12,‡ 1652.

* 'proposed.' The New Coll. MS. Not in Queen's Coll. MS.
ends with this word. † So in Qu. and C.C.C. The
† 'I shall be—I have written,' Editions have Nov. 2.

THE following Letter, preserved in the Tanner Papers, Vol. lii. f^o. 31, will be read with interest, as exhibiting a contemporary judgment on Sanderson's decision of the above Case.

This is copied from the Original in Dr. Stratford's hands, [and] seems to have been from Mr. Thorndike to Dr. Sheldon, in answer to Dr. Sanderson's Case of officiating publicly, when the Liturgy was forbidden, about 1653.*

DEAR SIR,

I return you Dr. S. papers again, having them by me at the coming of yours, and having once hastily read them over, so as to discern his practice and arguments on which he grounds it. For his practice, I confess, I cannot approve it, upon this score, that (besides his prayer before Sermon, which Custom and former practice, if not the Canon itself, allowed as lawful) he hath several parts of [the] Service of his own making, and though mostly formed out of the Common Prayer Book, yet certainly varied from thence, and so directly against the negative which prescribes (this and) no other. Now supposing the present force to be the excuse of his disobedience, yet cannot that have any appearance of a justification to this matter, because though force may make me omit what I am commanded, yet it cannot make me do what I am forbidden; and for the lower sort of force, threats of turning out, I see not how there is place for that; for I am confident he that should abstain from using one word (till his prayer before Sermon) which is not according to Order of the Liturgy (as he that should begin with the Lord's Prayer, Psalms, and Lessons for the day, &c) would be as safe as his method hath rendered him. And therefore my opinion is, that as he that prudently judging and discerning that he shall not be permitted to read the whole Liturgy at this time, doth use as much of it as he can at present (and withal nothing else), with a full intention to return to more of it as fast as he can hope to be permitted, and hath no other fears to trash him but such as may fall *in virum fortem*, and in this considers not his own but the Church's interest, shall not in equity be chargeable of obedience at this time, so he

* This memorandum, subjoined to the transcript, is in Bp. Tanner's handwriting.

that introduceth any new form cannot by any analogy with him, or by any new reason be thus justifiable. To this also I may add the consideration of this Schism, as it is the setting up *altare contra altare* (not Presbytery against Episcopacy, but) Directory against Liturgy, which is complied with in these new Forms, but is not so in the bare omission of some part of the Liturgy.

Now for his Reasons to justify his practice. I have not in this place leisure to give you any large account of them, nor indeed to read it over a second time to that purpose. Yet his first Rule of considering in all Laws the ultimate intention of your Lawgiver to procure the public good, is, to my understanding, of very ill consequence, if it be resolved sufficient to dispense with my obedience to any particular Law. For who shall judge at any time whether such an act of obedience to a standing Law be for the public good? The Lawgiver, I acknowledge, may; and accordingly either dispense with or abrogate it. But when he doth neither, shall any particular Subject do it upon his own argument? Then farewell all subjection any further than either the hypocrite will judge, i. e. pretend to judge, or the seducible weak person be able to judge, or the more judicious, upon what appears to him, (wherein he also may much err, if he see not all that the Lawgiver sees,) shall actually judge, to be for the public good; and that will prove in the effect very little, because what shall by any of these be on these grounds regularly done, would have been done probably if it had never been commanded, and so hath little of obedience. And truly Dr. Sanderson read Lectures to vindicate the Maxim of *Salus Populi suprema Lex* from modern abuses; yet I cannot see how they, that forsaking the known Laws appealed to the Fundamentals upon the force of the Maxim, can be said to have offended, if the general intention of the Law may by every particular man be taken in to dispense with his disobedience. And sure to this sense it was that this Maxim was at the beginning of this War so ordinarily applied.'

THE
CASE OF A RASH VOW*
DELIBERATELY ITERATED.

The Case.

A GENTLEMAN of good estate hath issue one only Daughter, who, placing her affections upon a person much below her rank, intendeth Marriage with him. The Father, hearing of it, in great displeasure voweth, and confirmeth it with an Oath, that if she marry him, he will never give her a farthing of his estate. The Daughter notwithstanding marrieth him : after which the Father sundry times iterateth and reneweth his said former Vow, and that in a serious and deliberate manner : adding further, that he would never give her or any of hers any part of his estate.

Quaere :

Whether the Father's Vow so made, and so confirmed and iterated as abovesaid, be Obligatory or not ?

The Resolution.

My opinion is, that the Vow was Rash, and is not at all Obligatory.

1. The Question here proposed is concerning the Obligation only. Yet I deem it expedient to declare my opinion concerning the Rashness also ; and that for two reasons. First, because there seemeth in the proposal of the Case to be some weight laid upon the after-iterations, which were more deliberate, as if they added to the Obligation. And, secondly, because I think it needful that the Vower should as well be convinced of the greatness of his sin in making such a Vow,

* 'made by Mr. Tho. Chicley.' Lansdowne MS. 446. Strype's Collection. fo. 31.

for the time past, as satisfied concerning the present and future invalidity of it.

2. It is easy to believe that the Gentleman, when he first made the Vow, was possessed with a very great indignation against his Daughter for her high and inexcusable disobedience to him in so very weighty a business. And truly it must be confessed, he had need to be a man of a very rare command over his own spirit, and such as are scarce to be found one of a thousand, that could contain himself within the bounds of reason, upon so just a provocation from an only child, (possibly some other aggravating circumstances concurring,) as not to be transported with the violence of that passion into some thoughts and resolutions, not exactly agreeable with the dictates of right Reason. It can therefore be little doubted, but the Vow, made whilst the Reason was held under the force of so strange a perturbation, was a rash and irrational Vow.

3. Nor will these after-acts in confirmation of the first Vow, though having more of deliberation in them, be sufficient to redeem either it or themselves from the imputation of Rashness: understanding Rashness in that latitude as the Casuists do, when they treat *de Voto temerario*: under the notion whereof they comprehend all such Vows as happen *per defectum plenae et discussae deliberationis*, as they express it. For it is to be considered, that when an injury, disobedience, or other affront is strongly resented, it many times maketh a very deep impression in the soul, which though after the first *impetus* have a little spent itself, it begin somewhat to abate, yet it doth so by such slow and insensible degrees, that the same perturbation, which first discomposed the mind, may have a strong influence into all succeeding deliberations for a long time after. Even as after an acute fever, when the sharpest paroxysms are over, and the malignity of the disease well spent, although the party begin to recover some degrees of strength, yet there may remain for a good while after such a debility in the parts, as that they cannot exercise their proper functions, but with some weakness more or less, till the party be perfectly recovered. Sith therefore the after-iterations on the first Vow, in the present Case, did proceed apparently from the rancour and malignity remaining in the mind,

as the dregs and reliques of the same perturbation, from which the first Vow also proceeded, they must upon the same account, to wit, *per defectum plenae deliberationis*, undergo the same censure of Rashness with the first. The same I say for the kind. Some difference, I grant, there is for the degree; but *Majus et Minus non variant speciem*, we know. And the consideration of that difference is only thus far useful in the present Case, that the more deliberate those after-acts were, the more culpable they are, and the less capable either of excuse or extenuation; and consequently do oblige the party to so much the more serious, solemn, and lasting repentance.

4. But concerning rash Vows, inasmuch as the knot of the Question lieth not there, it shall suffice to note these few points. First, That every Rash Vow is a sin; and that upon its own score, and precisely as it is rash, although it should not be any other way peccant. All acts of Religious Worship, by the importance of the Third Commandment, are to be performed with all due sobriety, and attention, and advisedness. How much more then a Vow! which is one of the highest acts of worship, as being a sacred contract, whereunto God Himself is a party. See Eccl. v. 2, 4, 5. Secondly, That Rash Vows are for the most part, besides the Rashness, peccant in their matter also. For they are commonly made in passion; and all passions are evil counsellors, and anger as bad as the first. *The wrath of man seldom worketh the righteousness of God.* Thirdly, That a Rash Vow, though to be repented of for the Rashness, may yet in some cases bind. As, for example, a man finding himself ill used by a shopkeeper of whom he had formerly been accustomed to buy, voweth in a rage that he will never buy of him again. This is a Rash Vow, yet it bindeth, because if the party had never made any such Vow at all, it had never been unjust or uncharitable, nor so much as imprudent, in him for to have done the same thing, which by his Vow he hath now bound himself to do. So if a man, impatient of his ill luck at cards, should vow in a heat never to play at cards any more, he were in this case also bound to keep his Vow, because there neither is any sin in keeping it, nor can be any great necessity why he should break it. That therefore, fourthly, if at any time a Rash Vow bind not, the invalidity thereof proceedeth not merely, nor indeed at all,

from the Rashness, (which yet is a very common error amongst men,) but from the faultiness of it otherwise, in respect of the matter* or thing vowed to be done: when that which is so vowed, is either so evil in itself, or by reason of circumstances becometh so evil, that it cannot be performed without sin.

5. That therefore concerning the Vow in the present case I declared my opinion, that it is not at all Obligatory, it is done upon this ground, which is a most certain truth, and consented to by all, that *Rei illicitae nulla Obligatio*.† If a man shall vow any thing that is contrary to Piety; as if, having taken offence at some indiscreet passage in a sermon of his own Minister, he should vow that he would never come to Church, or hear him preach again: or that is contrary to Justice, as to take away the life of an innocent person, as those forty persons that had vowed *they would neither eat nor drink till they had slain Paul*: or never to make restitution to one whom he knew he had wronged: or contrary to Charity; as to be revenged of, or never to be friends with one that had done him wrong: or that is contrary to Mercy; as if, having lost some money by lending to his friend, or having smarted by suretyship, he should vow never to lend any man money, or become surety for any man again. Let such a Vow, I say, as any of these, or any of the like nature, be made either rashly, or deliberately, and strengthened with Oaths and Imprecations, in the most direful and solemn manner that can be devised to tie it on the faster; yet it is altogether null and invalid as to the effect of Obligation. Whence those common sayings, *In male promissis rescinde fidem*;‡ *Ne sit juramentum vinculum iniquitatis*, &c. And we have a good precedent for it in David, after he had in a rage vowed the destruction of Nabal, and all that belonged to him; which vow, upon better consideration, he not only did not perform, but he blessed God also,

* Compare Bp. Andrewes' Speech in the Star-Chamber, concerning Vows, in the Countess of Shrewsbury's Case. 'Vows then are to be made, and are to be kept, if they be made right. But how, say you, shall we know whether they be right made? If they be made of a right

matter. Look then to *materia Voti*. For the Vow is, as the matter is, ever. Every beast is not meet for sacrifice; nor every thing matter meet for a Vow.'

† Compare De Juramenti Obligatione, Prael. ii. §. 13.

‡ Ibid.

for so providentially preventing the performance of it, by the discreet demeanor and intervention of Abigail.*

6. Now the reason why such Vows are not binding is very cogent and clear. Even because the party, at such time as he is supposed to have made such Vow as aforesaid, lay under another (a former, and therefore a stronger) Obligation to the contrary. And it is agreeable to all the Reason in the world, that he, who either by his own voluntary act hath bound himself, where lawfully he might so do, or by the command of his lawful Superior, that hath a right to his service and may exact obedience from him, is already bound to do, or not to do this or that, should not have power to disoblige himself therefrom, at his own pleasure, or to superinduce upon himself a new Obligation contrary thereunto. *Obligatio prior praejudicat posteriori*. As in the case of Marriage, a precontract with one party voideth all after-contracts with any other; and if a man convey lands to several persons, by deeds of several date, the first conveyance standeth good, and all the rest are void; and so in all cases of like nature. The Obligatory Power thereof that is in Vows, Oaths, Promises, &c. is rightly said by some, to be a constructive, not a destructive power. The meaning is, that such acts may create a new Obligation where was none before, or confirm an old one; but it cannot destroy an old one, or substitute another contrary thereunto in the place thereof.

7. And the reason of this reason also is yet further evident, for that *Quisquis obligatur, alteri obligatur*. When a man is obliged by any act, it is also supposed that the Obligation is made to some other party, to whom also it is supposed some right to accrue, by virtue of the said act obligatory; and that that other party is by the said act sufficiently vested in that said right, of which right he cannot be again divested and deprived by the mere act of him who instated him therein, and is obliged to perform it to him, unless himself give consent thereunto, without the greatest injustice in the world. Now God having a perfect right to our obedience, by His own obliging precept, both for the not doing hurt to any man, and for the doing good to every man upon all fit opportunities; and this right also confirmed, and ratified by our own obligatory

* Compare De Jure Juramenti Obligatione, Prael. iv. §. 4.

act in a solemn manner, before many witnesses at our Baptism, when we vowed to keep all God's Commandments; it were unreasonable to think that it should be in our power, by any after-act of ours, to disoblige ourselves from both or either of those Obligations. For then we might by the same reason free ourselves from the obligation of that latter act also, suppose an Oath or Vow, by another subsequent Oath or Vow; and from that again by another; and so play fast and loose, make Vows and break them *in infinitum*. Evident it is therefore, that every Vow, requiring anything to be done which is repugnant to any office of piety, justice, charity, or mercy, which we owe either to God or man, is void, and bindeth not, because it findeth us under the power of a former contrary Obligation, and hath not itself power sufficient to free or discharge us from the same.

8. The general Rule thus cleared, it remaineth to examine concerning the particular Vow now in question, whether it be void upon this account or no? It will be found hard, I believe, to free this Vow from being repugnant to the rules of justice; but impossible, I am sure, to reconcile it with the perfect Evangelical Law of charity and mercy. First, Civil and Political Justice requireth that every man should obey the wholesome Laws of his country, and submit himself to be ordered thereby. Now, put the case, which is possible enough, that the Daughter's husband should, for lack of support from his Father-in-Law, or otherwise, live and die in great want, leaving his wife and many small children behind him, destitute of all means for their necessary sustenance. The Law would, as I suppose, in that case, upon complaint of the Parish, and for their ease, send the Daughter and her children to the Father, and compel him to maintain them out of his estate. Which order he ought to obey, nor can refuse so to do, without the high contempt of public Authority and manifest violation of the Civil Justice, notwithstanding his Vow to the contrary. The Law must be obeyed whatsoever becometh of the Vow: in that case therefore it is evident the Vow bindeth not.

9. But say that should not happen to be the case, which yet is more than any man can positively say beforehand, the Parent is nevertheless in Moral Justice bound to provide due maintenance for his children and grandchildren, if he be able. St. Paul saith that fathers *ought to lay up for the children*.

True it is, he speaketh it but upon the by, and by way of illustration, in the handling of another argument, very distant from this business; but that doth not at all lessen the importance of it, such illustrations being ever taken *a notiori*, and from such common notions as are granted and consented unto by all reasonable men. The same Apostle having, amongst other sins of the Gentiles, mentioned disobedience to parents in one verse, in the very next verse mentioneth also want of natural affection in parents. And the disobedience in the child can no more discharge the parent from the obligation of that duty he oweth to the child, and of affection and maintenance, than the unnaturalness of the parent can the child from the duty he oweth to the parent, of honour and obedience. For the several duties that by God's Ordinance are to be performed by persons that stand in mutual relation either to other, are not pactional and conditional, as are the leagues and agreements made between Princes, where the breach in one part dissolveth the obligation on the other; but are absolute and independent, wherein each person is to look to himself and the performance of the duty that lieth upon him, though the other party should fail in the performance of his.

10. Something, I foresee, may be objected in this point, concerning the lawfulness of the parent's withdrawing maintenance from the child, either in whole, or at least in part, in the case of disobedience. Which how far forth it may or may not be done, as it would be too long to examine, so it would be of little avail to the present business. For it is one thing to withhold maintenance from a disobedient child for the present, and to resolve so to continue till he shall see cause to the contrary; and another thing to bind himself by Vow or Oath never to allow him any for the future, whatsoever should happen. Let be granted whatsoever can be supposed pleadable on the Father's behalf in the present case, yet there will still remain two particulars in this Vow, not easily to be cleared from being unjust. First, let the Daughter's disobedience deserve all this uttermost of punishment from the offended Father; yet how can it be just, that for the Mother's fault, the poor innocent, perhaps yet unborn children, should be utterly and irrecoverably excluded from all possibility of relief from their Grandfather? Secondly, it is (if not unjust, yet what

differeth very little therefrom) the extremity of rigid Justice, that any offender, much less a son or daughter, should, for any offence not deserving death, be by a kind of fatal peremptory decree put into an incapacity of receiving relief from such persons as otherwise ought to have relieved the said offender, without any reservation either of the case of extreme necessity, or of the case of serious repentance.

11. However it be for the point of Justice, yet so apparent is the repugnancy of the matter of this Vow with the precepts of Christian Charity and Mercy, that if all I have hitherto said were of no force, this repugnancy alone were enough, without other evidence, to prove the unlawfulness, and consequently the invalidity or inobliquity thereof. It is not an Evangelical Counsel, but the express peremptory Precept of Christ, that we should be merciful, even as our *Heavenly Father is merciful*. And inasmuch as not in that passage only, but for the most part wheresoever else the duty of mercy is pressed upon us in the Gospel from the example of God,* God is represented to us by the name and under the notion of a Father, although I may not lay much weight upon it as a demonstrative proof, yet I conceive I may commend it as a rational topic for all that are fathers to consider of, whether it do not import, that mercy is to be expected from a Father as much as, if not rather much more than, from any other man; and that the want of mercy in a Father is more unkindly, more unseemly, more unnatural, than in another man. But this by the way. From the Precept of Christ we learn that, as there is in God a twofold Mercy, a Giving Mercy in doing us good, though we deserve it not, and a Forgiving Mercy in pardoning us when we have done amiss, so there ought to be in every good Christian man a readiness, after the example of God, to show forth the fruits of Mercy to others, in both kinds, upon all proper and meet occasions. So that if any person, of what quality or condition soever, shall upon any provocation whatsoever vow that he will never do any thing for such or such a man, or that he will never forgive such or such a man, every such Vow, being *contra bonos mores*, and *contra officium hominis Christiani*, is unlawful and bindeth not.

12. The offices of Mercy in the former of those two

* See Sermon xiii. ad Aulam, §. 23.

branches, viz. of doing good, and affording relief to those that are in necessity, are themselves of so great necessity, as the case may be, that common humanity would exact the performance of them from the hand, not of a stranger only, but even of an enemy. If a stranger or an enemy's beast lie weltring* in a ditch, a helping hand must be lent to draw it out. The Samaritan's compassion to the wounded traveller in the Parable, Luke x, there being a feud, and that grounded upon Religion, which commonly of all others is the most deadly feud, between the two Nations, is commended to our example, to the great reproach of the Priest and Levite, for their want of bowels to their poor brother of the same Nation and Religion with themselves. For the nearer the relation is between the parties, the stronger is the Obligation of showing mercy either to other. And there is scarce any relation nearer, and more obliging, than that of parents and children.

Our Saviour, who in Matt. xv. 5-9 sharply reprov'd such Vows, though made with an intention to advance the service of God, by enriching His treasury, as hindered children from relieving their parents, will not certainly approve of such Vows, made without any other intention than to gratify rage and impatience, as hinder parents from relieving their children.

13. If, to avoid the force of this argument, it shall be alleged that the Daughter's disobedience, in a business of so high concernment, might justly deserve to be thus severely punished, and that it were but equal that she, who had so little regard to her Father, when the time was, should be as little regarded by him afterwards,—all this granted cometh not yet up to the point of showing Mercy according to the example of God. No Child's disobedience can be so great to an earthly Parent, as ours is to our Heavenly Father. Yet doth He, notwithstanding all our ill deservings, continually do us good, communicating to our necessities, and causing His sun to shine, and His rain to fall, and infinite benefits in all kinds to descend upon mankind, not excluding the most thankless, and disobedient, and rebellious, from having a share therein.

14. And as for that other branch of Mercy in pardoning

* 'weltring.' Compare 'weldred §. 15. 'in fovea luctitans,' Cam-
in a ditch,' Sermon iv. ad Magistr. bridge Version.

offences, God giveth a rich example to all men of their duty in that kind, and to Fathers particularly, by His great readiness to pardon the greatest offenders, if they sincerely seek to Him for it. If the Father in the Parable, Luke xv, had proceeded with such severity against his riotous son, as to have vowed never to have received him again, he had been a very improper exemplar whereby to shadow out the Mercy of God to repentant sinners. Concerning the great importance of this duty, which is so frequently inculcated by Christ and His Apostles, and so peremptorily enjoined, as not any other duty more, (See S. Matt. vi. 14, 15. xviii. 21-35. Eph. iv. 32. Col. iii. 13. S. James ii. 13. See also Eccles. xxviii. 1-7,) I shall not need to say much. Only, as to the present Case, it would be considered, how perverse a course it is, and contradictory to itself, for a man to think himself obliged, by one inconsiderate act, never to forgive his Daughter, when as yet he cannot beg pardon of his own sins at the hands of God, as he ought in his daily prayer to do, without an express condition of forgiving every body, and an implicit imprecation upon himself if he do not.

15. But shall the Daughter, that hath thus grieved the spirit of her Father, thus escape unpunished, and be in as good a condition as if she had never offended? And will not others be encouraged, by her impunity, to despise their Parents after her example? There is much reason in this Objection; and therefore what I have hitherto written ought not to be understood, as if thereby were intended such a plenary indulgence for the Daughter as should restore her *in integrum*, but only that she should be made capable of receiving such relief from her Father, from time to time, as in relation to her necessities and after-carriage from time to time should seem reasonable; and that his Vow ought not to hinder him from affording her such relief. But by what degrees, and in what proportion, the Father should thus receive his Daughter into his fatherly affection and relieve her, must be left to discretion and the exigence of circumstances. Only I should advise, in order to the Objection, viz. for example's sake, and that the Daughter might be made, even to her dying day, and kept, sensible of her great and sinful disobedience to her Father, that the Father should cut off from his Daughter and her posterity some meet

portion of his Estate, (as perhaps a fifth part at the least, or if a fourth, or a whole third part, I should like it the better,) and, by a solemn deliberate Vow, dedicate the same to be yearly employed in some pious and charitable uses. These times will afford him choice of objects, if God shall move his heart so to do; and by so doing, he may, first, in some sort redeem* and make a kind of satisfaction for his former Rashness, not Popishly understood, and in regard of the Justice of God, but in a Moral sense, and in regard of the world and his own Conscience. Secondly, it may be a good means to keep the Daughter in a continual fresh remembrance of her fault, that she may not, after a short and slight repentance, as in such cases too often it happeneth, forget the same; whereof she ought to have some remorse all the days of her life. Thirdly, he shall thereby, after a sort, perform his first Vow: I mean according to the general intention thereof, and the rational part, which was to make his Daughter repent her folly, and to smart for it: the overplus more than this being but the fruit of rancour and perturbation. Lastly, he shall in so doing, doubly imitate God our Heavenly Father. First, when a rash or sinful act is made an occasion of a pious or charitable work, it beareth some resemblance of, or rather is indeed itself a gracious effect of that goodness and wisdom in God, whereby He bringeth light out of darkness and good out of evil. Secondly, God Himself when He graciously pardoneth an high presumptuous sin, as He did David's great sin in the matter of Uriah, commonly layeth some lasting affliction upon the offender, as He did upon David, who, after the sealing his pardon for that sin by Nathan, scarce ever had a quiet day all his life long. The reason whereof seemeth to be double: partly for admonition to others, that none presume to provoke God in like manner, lest they smart for it also in like manner; and partly for the good of the offender, that he may by the smart be brought to the deeper sense of his error, and be eftsoons† reminded of it, lest he should too soon forget it.

Thus have I, with very much ado, in that weak condition

* 'redeem.' Compare Sermon † 'eftsoons,' *repeatedly*. See Sermon iii. ad Clerum, §. 23.
xii. ad Aulam, §. 38. and Sermon
v. ad Populum, §. 30.

I have been in ever since the Question came to my hands, and wherein I yet continue, declared my opinion fully concerning the whole business as far as I understand it. More largely, I confess, than I intended, or perhaps was needful; and with greater severity than, it may be, the parties will well like of. But truly I desired to do the part of a faithful Confessor; and the sores on both parts seemed to be such as were not to be touched with too gentle a hand. In the Daughter an act of high disobedience, transported by the passion of inordinate love; and in the Father an act of great Rashness, transported by the passion of inordinate anger: both beyond the bounds of right Reason, and Religion; and both to be deeply repented of. Howsoever, I cannot be suspected to have written any thing, either out of favour for, or prejudice against either party; not having the least conjecture who the persons are that are concerned in the business; nor so much as in what part of the Nation they live. I shall pray that God would direct them both to do that which may best serve to His glory, and bring the soundest comfort to their own souls. Amen.

OF the germ of the above Case three different Copies seem to have been preserved: in P. 18 of the MSS. given by Bishop Barlow to Queen's College, in F. D. vol. xii. of the MSS. in the Library of Corpus Christi College, and in an original Letter from Sanderson to Sheldon, here subjoined from the Tanner Papers.

The statement of the Case is thus given in the Queen's Coll. and C.C.C. MSS.

The Case of the Parent's Vow, never to relieve his Daughter that married against* his Consent.

A Father observes his Daughter to be in love with a mean person much below her quality and condition, forbids her to marry him, solemnly vows that, if she does, he will never give her penny, nor own her for his child. But, notwithstanding all his entreaties, persuasions, and threats, she marries him; and, in the revolution of some few† years, becomes exceeding poor, is sorry for her offence, confesseth it, desires pardon and relief. The Father begins to relent, would willingly relieve

* 'against.' 'without' C.C.C.

† 'some few.' 'some' C.C.C.

her, but dares not, because of his Vow. He supposeth the power of a Parent over his child to be such as that it was lawful for him* to abdicate her for such a deliberate disobedience; and, if the Vow might justly be made, † it must be kept.

The judgment of Sanderson, upon the Case thus stated was, it seems, originally given in the course of his Answer to a Letter from his friend Sheldon.

SIR,

In answer to yours this day sevensnight received, I have not yet heard anything from or of Mr. Doddesworth, but have written again lately, not to him but to my son Henry, to inquire after him, and to acquaint him with your desire. I am glad to hear that Dr. H. H. ‡ is able still to write. But, for my undertaking of any thing concerning the Schism, which either they of Rome charge upon us, or we upon the Presbyterians, besides my sloth and age, two invincible infirmities, I am extremely wearied with transcribing Sermons for the press, which taketh up, in a manner, all the time I can spare from visits, letters, and other daily emerging avocations; and shall have much ado for all that to make them ready in any reasonable time. 2°. I have not any of those books which should inform me in the Presbyterian mystery, to understand it right: such as Bishop Bancroft's *Dangerous Positions*, Bishop Bramham's § book, &c, and such as have been written by our late Presbyterians in England in their own justification, &c; which are all very needful to be perused for such an undertaking. 3°. I shall be necessitated, by occasion of the late Union in Worcestershire, || to engage a little in that business as soon as

* 'to be such as to abdicate' Qu. See *Sermon* xiv. ad Aulam, §. 6.

† 'made.' This word is not in the C.C.C. Transcript.

‡ Probably Henry Hammond.

§ Bishop Tanner has written in the margin, 'Sic Orig.' The Book intended is, doubtless, Archbishop Bramhall's 'Fair Warning to take heed of the Scottish Discipline, as being of all others most injurious to the Civil Magistrate, most oppressive to the Subject, and most pernicious to both:' first published

in 1649.

|| 'Baxter and his brethren of Worcestershire formed a scheme upon such general principles as all good men were agreed in; . . . and when he had drawn up Articles of Concord, he submitted them to the correction of Abp. Ussher and other Episcopal Divines, who agreed with him that no more discipline should be practised than the Episcopalian, Presbyterian, and Independent Divines agreed in.' Neal's *History of the Puritans*, ii. 432. The Articles were

I can overcome what I am now sweating at: when it will be sufficient to declare my judgment of those ways, with the grounds thereof.

As to the Case* in your Letter proposed, my opinion is, that notwithstanding Parents have a great power over their Children in the point of Marriage, and the disobedience of the Children† in proceeding to Marriage against the declared dissent of the Parents‡ be a very high degree of disobedience, and therefore may justly§ deserve a sharp punishment, and, as the circumstances may be, in some cases|| an utter desertion or abdication; yet such a Vow as in the Case proposed you mention could not be warrantably made, nor, being made,¶ though upon long and advised deliberation, can oblige,** if either the serious acknowledgement of the fault, and hearty repentance for the same†† by the offending party, well and sufficiently evidenced by the continuance of‡‡ an humble and pious aftercarriage, do merit the offending party's pardon, or the Child's extreme necessity require his relief. The reason is, for that no Vow ought to be made, neither being made can oblige, whereby the Vower is disabled from exercising any act of Justice or Charity, which, if that Vow were not, he were by the dictates of right Reason bound to perform. The omitting of such an act in such a case being a sin, the Vow cannot make it to be no sin: since in every Vow or Promise *de futuro*, though that exception§§ be not actually thought on by the Vower at the time of Vowing, yet the exception, ||| *salvis Justitia et Charitate*, is ever supposed *ex Lege communi* to have been intended. Added¶¶ hereunto some other considerations: as that, though the disobedience of the Child be of a very high nature in itself, and therefore ought to have a proportionable measure of repentance, yet the strength of the

printed: 'Christian Concord, or the Agreement of the Associated Pastors and Churches of Worcestershire, with Richard Baxter's Explication and Defence of it, and his exhortation to Unity.' 4^o. Lond. 1653.

* 'As to the Case.' Qu. and C.C.C. begin with these words.

† 'Children.' 'Child' Qu. and C.C.C.

‡ 'Parents.' In Qu. 'Parent.'

§ 'justly.' Not in Qu.

|| 'in some cases' omitted in Qu. and C.C.C.

¶ 'nor being made.' Not in Qu.

** 'can oblige.' 'or can,' Qu.

†† 'for the same.' 'of the same' Qu.

‡‡ 'the continuance of.' Not in Qu.

§§ 'exception.' 'acceptation' Qu.

||| 'the exception,' omitted in Qu.

¶¶ 'Added.' 'Add' C.C.C.

temptation, by reason of the violence of the passion of Love, which young persons cannot so easily master, rendereth it more capable of pardon from the Parent upon repentance. As also that our Heavenly Father, whose example therein we are to follow,* doth receive us upon our repentance into favour and pardon, though we have sinned with a high hand and in a presumptuous manner against Him. Yet I think it would be convenient for the Father, in your† Case, not to relieve his Daughter too hastily, unless her great necessity otherwise require,‡ and that but in a scant measure for a time, especially if she do not appear to be truly and thoroughly humbled for her past disobedience; but to order the dispensation of his charitable and§ fatherly affection towards her in such sort, in order to her spiritual good, as that she may at once both|| conceive some hope of pardon and reconciliation from her Father, and yet withal have a good sense and apprehension of some remainders of his just displeasure against her for that her disobedience. How far forth, or how long, and¶ in what degree, this course is to be held, prudence and charity, according to present circumstances and their variations from time to time, must determine. But for the Vow itself, I am clearly of opinion that it is to pass for a rash Vow, though made with never so great deliberation, if the forementioned exception or reservation were not intended by the parent when he made it; and if it were intended,** then the Daughter may be pardoned in Justice and relieved in Charity, and the Vow still be in force. So that, intended or not intended, the Vow cannot oblige to hinder the Parent either from pardoning the offence or relieving the necessity of his Daughter.††

My service remembered to you all, I rest

Your true friend and servant,

Boothby Pagnell,
24th December, 1653.

Ro. Sa.

For Dr. Sheldon, at Bridgeford.‡‡

* 'we are to follow.' 'we follow' Qu.

† 'your.' 'this' Qu. and C.C.C.

‡ 'require.' 'required' Qu.

§ 'and' omitted in Qu. and C.C.C.

|| 'both' omitted in Qu.

¶ 'and.' 'or' C.C.C.

** 'and if it were intended—relieved in Charity,' omitted in Qu.

†† 'of his Daughter.' The Transcript in Qu. and C.C.C. ends here.

‡‡ It appears from a memorandum in Bp. Tanner's handwriting, MSS. liii. fo. 211, that 'Dr. Sheldon lived at Bridgeford in the years 1651-53, either in Mr. Okeover's house, or some of that name lived with him.'

THE CASE OF MARRYING WITH A RECUSANT.

SIR,

YOURS, of July the second, I yesterday, July the sixth, received. In answer to the contents whereof, desiring that my services may withal be most humbly presented to my very much honoured Lord, I return you what my present thoughts are concerning the particulars therein proposed.

First,* for marrying a daughter to a professed Papist, considered *in thesi*, and as to the point of lawfulness only, I am so far from thinking the thing in itself to be simply and *toto genere* unlawful, that I dare not condemn the Marriage of a Christian with a Pagan,† much less with any other Christian, of how different persuasion soever, as simply evil and unlawful, inasmuch as there be cases‡ imaginable, wherein it may seem not only lawful, but expedient also, and, as the exigence of circumstances may be supposed, little less than necessary so to intermarry. But since things lawful in the general and *in thesi* may become, by reason of their inexpediency, unlawful *pro hic et nunc*, and *in hypothesi*, to particular persons;

* 'First.' In the Dolben MS. 'And to the second.' See above, p. 3.

† The Cambridge Translator saw reason to narrow the general applicability of this clause to both sexes, within the scope immediately suggested by this Case . . . 'nuptias Christianae cum Ethnico.'

Bp. Barlow has noted on the margin of his Copy, 8^o. C. 675 Linc. in the Bodleian, 'Vid. 2 Cor. vi. 14-16. I consider, 1^o, that Matrimony is *Juris naturae*, and *ratum* amongst Pagans as well as Christians. 2^o, If of two Pagans married one turn Christian, this dissolves not the *Vinculum Matrimonii*: they may cohabit as man and wife; 1 Cor. vii.

12, 13. 3^o. But the Quaere is, whether a member of the true Church of God may marry a known Idolater. 1^o. God forbids it absolutely to the Jews, His Church in the Old Testament. Deut. vii. 3. 2^o. Nehem. xiii. 24, &c, and Ezra x. 18 make them put away such wives. *Ergo Vinculum non erat validum.* 3^o. St. Paul absolutely forbids it, 2 Cor. vi. 14-17. 4^o. The Quaere then is, whether that which is by Divine Law absolutely forbidden be not *toto genere* and simply unlawful. But the marrying an Idolater (and Papists are such) is so forbidden. *Ergo*. . .

‡ 'cases' Dolben MS. Edd. 'causes.'

and that the expediency or in expediency of any action to be done is to be measured by the worthiness of the end, the conjuncture of present circumstances, and the probability of the good* or evil consequents and effects, prudentially laid together and weighed one against another, I conceive it altogether unsafe for a conscientious person, especially in a business of so great concernment as the marrying of a child, to proceed upon the general lawfulness of the thing, without due consideration of circumstances, and other requisites for the warranting of particular actions. Now, as for the Marriage of a daughter with one of so different persuasion in point of Religion as that they cannot join together in the same way of God's Worship, which is the case of a Protestant and a Papist, it is very rare to find such a concurrence of circumstances, as that a man can thence be clearly satisfied in his judgment, without just cause of doubting the contrary, that it can be expedient to conclude upon such a Marriage; and how dangerous a thing it is to do any thing with a doubting Conscience, we may learn from Rom. xiv. 23. For the evil consequents probably to ensue upon such Marriages are so many and great, that the conveniences which men may promise to themselves from the same, if they should answer expectation, as seldom they do to the full, laid in an equal balance there-against, would not turn the scale. And, in one respect, the danger is greater to marry with a Papist than with one of a worse Religion, for that the main principle† of his Religion, as a Papist, is more destructive of the comfort of a conjugal society, than are the principles of most heretics, yea, than those of Pagans, or Atheists. For, holding that there is no Salvability but in the Church, and that none is in the Church but such as acknowledge subjection to the See of Rome, it is not possible but that the Husband must needs conclude his Wife to be in the state of damnation so long as she continueth Protestant. Whence one of these two great inconveniences will unavoidably follow, that either he will use all endeavours, engines, and artifices, to draw her to the Church of Rome, (as indeed who can blame him for endeavouring‡ to bring his

* 'the good' Dolben MS. Previous Editions have not the Article.

† 'main principle.' 'primarium

dogma' Cambridge Version.

‡ 'for endeavouring.' These words, which seem necessary to complete

Wife into a capacity of everlasting Salvation?) the restless importunity whereof, together with the ill advantages they of that party can make from the sad* confusions that are amongst us in these times, it will be very hard for one of the weaker sex perpetually to resist; or else, in case she stand firm in her Religion against all assaults and attempts to the contrary, whatsoever he may be towards her in outward carriage, he cannot but, in his inmost thoughts, pass judgment upon her as an obstinate and desperate heretic, and, so living and dying, an accursed and damned creature. These are sad things both; and it is not conceivable how a Woman so matched should live with any comfort, or ever hope to see a good day, wherein she shall not either be tempted from her Religion, or censured for it. What assurance can she have of his good affections towards her, who is bound not to permit any better opinion of her than of a reprobate and castaway? It is possible there may be so much good nature in the husband as to take off somewhat from that rigidness, which otherwise the principles of his Religion would bind him to, or so much discretion, sweetness, and obligingness in the wife's demeanour towards him, as to preserve a good measure of conjugal affection between them, notwithstanding their different persuasions. This, I say, is possible; and where it happeneth so to be, it rendereth the condition of the parties so much the less uncomfortable; and that is the utmost of the happiness that is to be hoped for from such Marriages; and I think there cannot be produced many examples thereof. Yet even there, there cannot be that cordial affection and fulness of complacency (wherein yet the chiefest happiness of conjugal society consisteth) that would be, if the same parties, supposed to be of the same qualifications otherwise, were also of the same Religion. I omit other oeconomical differences that may, and very frequently do occasionally arise, betwixt husband and wife from this difference in Religion, as concerning the entertainment of friends, the choice of servants, the education of children, very considerable things all, besides sundry other

the sense, are inserted from the Dolben MS. The Cambridge Version does not recognise them—
 'Quis ei verterit vitio, uxorem in

spe Salutis aeternae probabili collocare?'

* 'sad.' 'horrendis' Cambridge Version.

perhaps of less moment, yet such as are apt to breed discontents and jealousies, and sometimes break out into great distempers in the Family. Such Marriages therefore* I should utterly dissuade, especially in the Nobility, Gentry, and Commonalty, where there is choice enough otherwise to be had of persons of equal degree, estate, and education of the same Religion to match withal. Kings and Princes, for reasons of State, and because there is little choice of persons of equal dignity with themselves, are therefore oftentimes, by a kind of necessity, put upon such Marriages; yet even there, where they are certainly the most excusable, it hath been observed, that such Marriages have proved for the most part unfortunate.

The other particular proposed in your Letter, is concerning the Marriage of a daughter to one that professteth the Protestant Religion, but having had Popish parents, may be suspected, though he deny it, to be that way inclined. The resolution whereof, as of most other Cases and practical questions, will depend very much upon the consideration of circumstances, whereunto being altogether a stranger, I am less able to give judgment in the Case with any certainty. Only in order to the resolution of the Question, these, to my understanding, seem to be the most proper and important inquiries.

First, whether the parents of the young person be living or no, one or both? If both be dead, the temptations from them (which in such cases are wont to prevail very much) are by their death clearly superseded; and then the danger is by so much less. But if either be living, there can be little security of the son's continuance in the Protestant's belief, notwithstanding his present profession thereof, when he shall be assaulted with the whole authority of them to whom he oweth reverence.

Secondly, with what degree of confidence, and with what kind of asseverations he professteth the one, and denieth the other Religion? For although they out of design put on a counterfeit vizard, and use all the art they can to dissemble it, yet very seldom can it be done so cunningly, warily, and constantly, but that at some time or other, the dissimulation will unawares bewray itself to the eye of a curious observer.

* 'therefore.' So in the Dolben MS. In the printed books 'thereof.'

Thirdly, what measure of understanding the young person, who is, you say, of great abilities for his age, hath in the fundamental Articles of the Christian Religion: those I mean, wherein the English and Romish Churches are at agreement; for in those the substance of Christianity consisteth. He that rightly understands those Catholic Truths taught in the Catechisms of both Churches, and concerning which all Christendom, in a manner, are at perfect accord, and then will but suffer himself to consider that the Church of England doth not impose upon the judgments and consciences of her members any thing to be believed or received, as of necessity to Salvation, than what is truly Catholic, and by her adversaries confessed so to be; and consequently, that the difference* betwixt her and the Romish Party, is wholly about those additional or superstructures, which they of the Roman faith require to be believed and received with like necessity as the former, but appear to us of this Church respectively, either evidently false, or of doubtful truth, or not of absolute necessity to be believed: I say, whosoever well considereth this, may rest satisfied in his judgment and conscience, that the Faith taught and professed in the Church of England, is a plain and safe way to lead a Christian Believer to Eternal Salvation, if he withal lead his life and conversation answerable thereunto.

To the last particular in your Letter, all the return I have to make, is no more but an humble acknowledgment and sense of his Lordship's noble favours towards me, in entertaining an opinion of me more suitable to his own goodness and ingenuity than to my merit. I know not, nor desire to know of any occasions likely to draw me into those parts so distant from me, being grown into years and infirmities that render me very unfit for long journeys, unless the business of my Son's Marriage, which occasioned my late journey to London, require a second thither in Michaelmas Term. But I am so sensible both of the trouble and charge of such journeys, besides some inconveniences to my affairs at home whilst I am long absent, that I will avoid it, unless there be no other remedy. I shall not willingly decline any employment, within my low and narrow sphere, both of outward condition and parts, wherein

* 'difference.' 'controversiam' Cambridge Version.

my services* may be any ways useful, or but acceptable, to that noble and excellent Person. But truly, Sir, I conceive there will be little need of my further endeavours, as to that particular expressed in yours, whether what I have written now give satisfaction, or not. There are persons nearer hand,† whom I know to be much fitter for an employment of that nature, than myself who have ever studied peace more than controversies; and namely, one at the next door to Hatton-House,‡ whose sufficiency and readiness in that kind is well known to Mr. Geoffrey Palmer.§

Sir, because I would willingly keep some account of what I write upon such occasions as this, and I have no other copy of this present script, I desire that I may have either this Paper, or a transcript thereof, returned me at your bye leisure. It may be conveyed unto me at any time by the means of my son or of Mr. Henry Serle, Bookseller.¶

Sir, I wish you happiness, desire your prayers, and rest

Your Faithful and Humble Servant,

ROBERT SANDERSON.¶¶

Botheby Paynell.¶¶

July 7, 1656.

* 'services' Dolben MS. Edd. 'service.'

† ? Bishop Hall; of whose Resolutions and Decisions of divers Practical Cases of Conscience, first published in 1649, a third Edition had appeared in 1654.

Jer. Taylor, on the 25th of March in the year following the date of this Case, showed Evelyn 'his MSS. of Cases of Conscience, or *Ductor Dubitantium* fitted for the press.' Memoirs, i. 304.

‡ The person here intended may

be presumed to have been Peter Gunning, eventually Bishop of Chester, and afterwards of Ely, who, when ejected from his Fellowship in Clare Hall, became Tutor to the Lord Hatton.

§ Attorney General, and Chief Justice of Chester, 1660; created a Baronet in 1661.

¶ This Paragraph is inserted from the Dolben MS.

¶¶ The Names are inserted from the Dolben MS.

THE CASE OF A BOND

TAKEN IN THE KING'S NAME.

Proposed July, 1658.

R. C. was seized in fee of certain houses of small value, with the appurtenances; and in the year 1635, whilst owner of the said houses, he intreated A. B. to be his surety for one hundred pounds; and continued the same at interest till 1639. At which time he requested A. B. to discharge that Bond, and in consideration thereof selleth the said houses to A. B. and his heirs for ever: the said R. C. also buyeth of a merchant a parcel of goods: the merchant, being a receiver of some part of the late King's Revenue, and under pretence of a privilege thereby, taketh a Bond of the said R. C. for the payment of two hundred pounds* to himself, but in the name of the late King, as if indebted to the King; and under that pretence procureth an Extent upon the Houses sold to A. B. and maketh seizure thereof.

Was R. C. seized of the same, when he entered into that Bond?†

The said King, 1640, published a Proclamation, wherein he declared that the taking of such Bonds was contrary to his intention and an abuse of his Prerogative, and prohibited all such crafty courses, as tending to the oppression of his subjects; and it is to be noted, that the said Proclamation was published two years before the Extent was executed upon the houses, which nevertheless have been held under that Extent about fourteen years, which is beyond the value of the houses.

The said R. C. died poor: the merchant is dead also, without any child, leaving an estate behind him of twenty thousand pounds, as is supposed: a great part visible in lands, as appeareth by his last Will upon record.

* 'de viginti libris sibi solvendis.'
Cambridge Version.

† Nothing equivalent to this Ques-

tion appears in the Cambridge Version.

Advice of Counsel at Law being taken, how the said A. B. may be most readily relieved, he is directed to petition the present Supreme Power to pardon the debt, because taken only in the King's name, when there is no debt due to him from R. C.

As to the Case proposed,

1. I am clearly of opinion, that the taking of Bonds in the King's name, to the mere behoof and for the advantage of private persons, when there was no such debt really due to the King, was a fraudulent and unjust act from the beginning; for though it were not actually forbidden, and so might perhaps be valid enough *in foro externo*, till the issuing out of the King's Proclamation in that behalf; yet was it in point of Conscience unlawful before, as being a crafty course: so refused by the King himself, and guilty of a double injustice: the one to the King, as an abuse to his Prerogative: the other to the subject, as tending to their oppression, as by the Proclamation is recited; and that therefore,

2. Neither might the Merchant, while he lived, nor ought his Executors, now he is dead, to make advantage of the King's name used in that Bond; nor might he then, nor may they now, by virtue of the King's Prerogative, or under the colour thereof, for the recovery of the said Debt, use any way to the prejudice or damage of the Obligee, or of any purchaser from him, other than such as he or they might have used, in case the Bond had been taken in the Obligee's own name, and not in the King's.

3. If any proceedings have been made already in pursuit of the Debt due upon the said Bond, upon no other ground or colour than the Prerogative aforesaid, whereby the said A. B. cometh to be endamaged or prejudiced more than otherwise he should have been, that the Executors ought to make him some considerable satisfaction for the same: although perhaps not to the full of what he hath suffered or would demand, yet in such a proportion, as to the judgment of indifferent persons, in a case wherein both parties, if they must do what is fitting and just, are sure to be losers, shall seem reasonable, in case the parties cannot accord it between themselves.

4. Whereof, although through the corrupt partiality that is in most, I may truly say, all men more or less, I do not apprehend any great likelihood, for neither part would, and yet both must be losers, yet I should advise that trial were made thereof in the first place, as the most kindly Christian way of growing to peace, if parties will be persuaded to meet about it, and can be made masters of their own passions when they are met; and surely matters might be easily brought to a handsome conclusion, if both parties, but especially the Executors, who seem to have the advantage in Law, would not stand too much upon whatsoever advantage they may seem to have, but, as in Conscience they ought, submit both that, and all other circumstances appertaining to the business, and indeed their whole mutual demands, to the final determination of that transcendent Law, which Christ hath established as the only Royal Standard, whereby to measure the equity of our actions in all our dealings towards others: viz. to do as we would be done unto; or, which cometh to one, not to do that to another, which if he should do to us, supposing his case was ours, we should think ourselves scarce justly and fairly dealt withal.

5. But lastly, in case no such accord can be made, either by agreement of parties, or mediation of friends, and that through the only default and stiffness of the Executors, A. B. having by all fair ways faithfully sought and endeavoured the same, I see not but the said A. B. may (but not to be done but as his last refuge) seek to relieve himself according to the advice of his Counsel, by making his addresses to such person or personage,* as for the time being shall be in actual possession of the Supreme Power, and so in a capacity to overrule the Law in a case of that nature, by forgiving that Debt whereunto the King was colourably and fraudulently entitled for private advantage, to the prejudice of a third person; but was not at all a debt owing to him from the Obligee.

B. P. 17 July, 1658.

* In the Cambridge Version, 'Personae isti aut Magnati.'

THE CASE OF SCANDAL.*

IN judging of Cases of Scandal, we are not so much to look at the event, what that is or may be, as at the cause whence it cometh; for sometimes there is given just cause of Scandal, and yet no Scandal followeth, because it is not taken: sometimes Scandal is taken, and yet no just cause given; and sometimes there is both cause of Scandal given, and Scandal thereat taken. But no man is concerned in any Scandal that happeneth to another by occasion of any thing done by him, neither is chargeable with it, further than he is guilty of having given it. If then we give Scandal to others, and they take it not, the whole guilt† is ours, and they are faultless: if we give it, and they take it, we are to bear a share in the blame as well as they, and that a deeper share too. *Vae homini! Wo to the man by whom the offence cometh*, S. Matt. xviii. 7. But if they take offence when we give none, it is a thing we cannot help, therefore the whole blame must lie upon them: wherefore, if at any time any doubt shall arise in the Case of Scandal, how far forth the danger thereof may, or may not oblige us to the doing or not doing any thing proposed, the Resolution will come on much the easier, if we shall but rightly understand what it is to give Scandal, or how many ways a man may become guilty of scandalizing another by his example. The ways, as I conceive, are but these four.

2. The first is, when a man doth something before another man which is in itself evil, unlawful, and sinful. In which case, neither the intention of him that doth it, nor the event, as to him that seeth it done, is of any consideration; for it

* This can hardly be regarded as a distinct Case, the matter of it, with a few variations of no great importance, having already been given in the Case of the Liturgy, pp. 49-53 above.

† 'the whole guilt—they take it.' These words, inserted here from the Case of the Liturgy, are represented in the Cambridge Version of this Case.

mattereth not whether the doer had an intention to draw the other into sin thereby, or not: neither doth it matter whether the other were thereby induced to commit sin or not. The matter or substance of the action being evil, and done before others, is sufficient to render the doer guilty of having given Scandal, though he had neither any intention himself so to do, nor were any person actually scandalized thereby: because whatsoever is in itself, and in its own nature evil, is also of itself, and in its own nature scandalous, and of evil example. Thus did Hophni and Phinehas, the sons of Eli, give Scandal by their wretched profaneness and greediness about the sacrifices of the Lord, and their vile and shameless abusing the women, 1 Sam. ii. 17, 22. And so did David also give great Scandal in the matter of Uriah, 2 Sam. xii. 14. Here the Rule is, Do nothing that is evil for fear of giving Scandal.*

3. The second way, when a man doth something before another with a direct intention and formal purpose of drawing him thereby to commit sin. In which case, neither the matter of the action nor the event is of any consideration; for it maketh no difference, as to the sin of giving Scandal, whether any man be effectually enticed thereby to commit sin, or not; neither doth it make any difference, whether the thing done were in itself unlawful or not, so as it had but an appearance of evil, and from thence an aptitude to draw another to do that, by imitation, which should be really and intrinsically evil: the wicked intention alone, (whatsoever the effect should be, or what means soever should be used to promote it,) sufficeth to induce the guilt of giving Scandal upon the doer. This was Jeroboam's sin, in setting up the calves with a formal purpose and intention thereby, for his own secular and ambitious ends, to corrupt the purity of Religion, and to draw the people to an Idolatrous Worship; for which cause he is

* Mr. J. C. Robertson, in his Work entitled, 'How shall we conform to the Liturgy?' Additions to p. 29, l. 9, second Ed., would prefer to omit the comma, placed in previous Editions, after the word 'evil,' understanding the Rule to mean, Let not fear of giving scandal persuade you to do evil. But is not its purport rather, Do no-

thing that is evil, lest you should give scandal, lest you should put a stumblingblock in the way of your brother or brethren? Compare De Juramenti Obligatione, Praelect. ii. §. 9. 'Altera respectu aliorum, ob metum scilicet Scandali: ne quis alius infirmior, nostro exemplo adductus, quod nobis factum videt id sibi quoque licere putet,' &c.

so often stigmatized with it as with a note of infamy, to stick by him whilst the world lasteth: being scarce ever mentioned but with this addition, *Jeroboam, the son of Nebat, that made Israel to sin*. Here the Rule is, Do nothing, good or evil, with an intention to give Scandal.

4. The third way is, when a man doth something before another, which in itself is not evil, but indifferent, and so, according to the rule of Christian Liberty, lawful for him to do or not to do as he shall see cause, yea, and perhaps otherwise commodious and convenient for him to do, yet whereat he probably foreseeeth the other will take Scandal, and be occasioned thereby to do evil. In such case, if the thing to be done be not in some degree, at least prudentially, necessary for him to do, but that he might, without great inconvenience and prejudice to himself and any third person, leave it undone, he is bound in charity and compassion to his brother's soul, for whom Christ died, and for the avoiding of Scandal, to abridge himself in the exercise of his Christian Liberty for that time, so far as rather to suffer some inconvenience himself by the not doing of it, than by doing of it to cause his brother to offend. The very case which is so often, and so largely, and so earnestly insisted upon by St. Paul: See Rom. xiv. 13-21; xv. 1, 2. 1 Cor. viii. 9-13; ix. 12, 22; and x. 23-33. Here the Rule is, Do nothing that may be reasonably forborne, whereat it is like Scandal will be taken.

5. The last way is, when a man doth something before another, which is not only lawful, but, according to the exigencies of present circumstances, *pro hic et nunc*, very behoveful, and in some sort prudentially necessary for him to do; but foreseeeth in the beholder a propension to make an ill use of it, and to take encouragement thereby to commit sin, if there be not withal a great care had to prevent, as much as is possible, the Scandal that might be taken thereat; for, *Qui non prohibet peccare quum potest, jubet*.* In such case the bare neglect of his brother, and not using his utmost endeavour to prevent the evil that might ensue, maketh him guilty.†

* Seneca, Troad. 295. Qui non vetat... Compare Sermon vi. ad Magistr. §. 26. Qui non vetat peccare cum posset, jubet is quoted by Prynne, Canterbury's Doom, as

from Gratian, Dist. 86.

† 'maketh him guilty.' In previous Editions, 'making him guilty, upon which' &c. See above, p. 52.

Upon which consideration standeth the equity of the Judicial Law given to the Jews, Exod. xxi. 33, 34, which ordereth, that in case a man dig a pit or well for the use of his family, and, looking no further than his own conveniency, put no cover on it, but leave it open, whereby it happeneth his neighbour's beast to fall therein and perish, the owner of the pit is to make it good, inasmuch as he was the occasioner of that loss unto his neighbour, which he might and ought to have prevented.* In this last case the thing is not, for the danger of the Scandal, to be left undone, supposing it, as we now do, otherwise behoveful to be done; but the action is to be ordered and carried on by us, for the manner of doing, and in all respects and circumstances thereunto belonging, with so much chariness,† tenderness, and moderation, and wisdom, that so many as are willing to take notice of it may be satisfied that there was on our part a reason of just necessity that the thing should be done; and that such persons as would be willing to make use of our example, without the like necessity, may do it upon their own score, and not be able to vouch our practice for their excuse: even as the Jew that stood in need to sink a pit for the service of his house and grounds, was not, for fear his neighbour's beasts should fall into it and be drowned, bound by the Law to forbear the making of it, but only to provide a sufficient cover for it, when he had made it. Here the Rule is, Order the doing of that which may not well be left undone, in such sort, that no Scandal may, through your default, be taken thereat.

6. I do not readily remember any doubt that can occur about the reason of Scandal, which may not be brought within the compass of these four Rules; and then the right applying some or other of these Rules will give some furtherance towards the Resolution of these Doubts.

* 'ought to have prevented.' In the Case of the Liturgy these words are followed immediately by the Rule. The rest of the matter here

given does not appear on p. 53.

† 'chariness.' In previous Editions, 'clearness.' See above, page 53, note †.

THE CASE OF
UNLAWFUL LOVE.

TWO Gentlemen who were very good friends, and both of them married, used to converse together familiarly. One of these took a special liking in the company and conversation of the other's wife, and she answerably in his; which afterwards proceeded to some degree of love; which, though ever restrained, and preserved without any violation of chastity, grew yet in the end to this issue, that they mutually vowed either to other, that if happily* either of them should at any time be freed from the bond of Matrimony, either he by the death of his wife, or she by the death of her husband, that party so freed should continue afterwards unmarried, and stay for the other, till the other should be freed also, though it were during life. Now so it is, that the Gentlewoman's husband died, and her affections and resolution so altered that gladly she would marry, if she might be released of the engagement of that Vow, or persuaded of the unlawfulness or nullity thereof.

Concerning the present Case, as it is propounded, sundry Points are needful to be resolved, that so we give a right judgment *de praeterito*, of what is already done for the time past, in respect of the Gentlewoman's former Promise, and sound direction also *de futuro*, what is further to be done for the time to come, in respect of her present distresses.

Point I.

1. First of all, It is considerable, whether the Promise made by the Gentlewoman and her friend, were properly a Vow or no? So it is called in the proposal of the present Case, and

* 'happily,' here equivalent to 'haply.' The Cambridge Version has 'forte.'

that agreeable to the common use of speech with us here in England, who extend the word, Vow, very far; neither shall I make scruple in the ensuing Discourse, sometimes to call it so; for *Loquendum ut Vulgus*. But, to speak properly, a Vow is a word of a narrower extent than a Promise, every Vow being indeed a Promise, but not every Promise necessarily a Vow. Promises may be made indifferently, either to God, or men;^a but Promises made to men are no Vows: wherefore it is usually inserted into the definition of a Vow, as a condition essentially requisite thereunto,^b that it be made unto God alone, insomuch as to make a Vow to any creature is, *interpretative*, to exalt the creature into the place of God, and so to make it an idol;* which is clear, not only from the express Ps. lxxvi. Precept of God, and the constant examples of godly men, and the usual phrases of the Holy Ghost in the Scriptures, but also from the universal consent of all learned men, both Divines and others, and even of Heathens also.^c This Gentlewoman's Promise then being made to the Gentleman her friend alone, as was his also to her, and neither of both to God, is therefore to be taken for a mere Promise, but no Vow.

2. If, for more confirmation thereof, she bound herself also by Oath, as it is not unlike, yet it is no more for all that but a mere Promise still, and not a Vow. For albeit the very using of an Oath be a calling in of God into a business, and the person that taketh an Oath doth thereby set himself in the presence of God, yet an Oath calleth Him in only to be a witness,^d without any intent to make Him a party to the business, whereas in a Vow He is made a party, and not only a witness; whereunto agree those forms so frequent in Holy Scripture, in Oaths both assertory, and stipulatory: *The Lord be witness between us: God is my witness: I take God to*

Ps. lxxvi.
11.
Num. xxi.
2.
Judg. xi.
30.
1 Sam. i. 11.
Judg. xi.
36.
Ps. lvi. 12.

^a Votum soli Deo fit, sed Promissio etiam potest fieri homini. Aquinas, Sec. Sec. Quaest. lxxxviii. Art. 5. ad Tert.

^b Promissio Deo facta est essentia Voti. [Votorum quoddam pertinet ad Religionem ratione solius Promissionis Deo factae, quae est essentia Voti.] Ibid. [ad Primum.]

* Compare De Juramenti Obligatione, Praelect. v. §. 2.

^c Sponsio, qua obligamur Deo. Cicero de Legibus, ii. 41.

^d Jurare nihil est aliud quam Deum testem invocare. Aquinas, Sec. Sec. Quaest. lxxxix. Art. i. ex August. de Verb. Apost. Serm. R. 28. [180. 4. §§. 6, 10. tom. v. col. 861, ed. Ben. 1633.] Quod affirmative, quasi Deo teste, promiseris, id tenendum est. Cicero de Offic. iii. 29. 104.

Gen. xxxi.
50.
Judges xi.
10.

Mal. ii. 14. *record*, and the like. For even as when a Promise is made unto God, whereunto, for the more solemnity, the presence of some men is required as witnesses, such a Promise is to be held for a Vow, because it is made to God alone, although in the presence of men; so, on the other side, when a Promise is made unto some man, whereunto, for the more assurance, the presence of God is required as a witness, such a Promise is not to be held for a Vow, because it is made unto man alone, although in the presence of God.

Rom. i. 9.
1 Thess. ii.
5.
2 Cor. i. 23.
Phil. i. 8.

3. Nay further, if the Gentlewoman when she thus engaged herself did use these very words, ‘I vow to God,’ or words to that effect, as we know is often done in solemn Promises between man and man, yet neither is that sufficient to make it properly a Vow; for to judge rightly when question is made concerning any particular Promise, whether it be a Vow, yea or no, we are not to be guided so much by the forms of speech, which are subject to change, impropriety, and many defects, as by the true intention and purpose of the parties, especially the Promiser. Now what was the whole intent and purpose of these parties, when they mutually bound themselves in such sort as in the Case propounded is laid down, no reasonable man can be ignorant; even this and no other, to give as good assurance as they could devise, either to other, and to receive the like assurance again, that the thing by them agreed on and promised should be faithfully performed; and if either Oaths or Protestations were also used by way of confirmation, they are all in common intendment to be taken as tending to the selfsame purpose, without looking at any further thing; and clearly where the Promiser hath no intention to bind himself to God, but to man only, the Promise so made is no Vow, whatsoever formality of words may be used in the making of it.

4. Neither is the examination of this Point a curiosity either in itself fruitless, or impertinent to the Case in hand; for albeit in that which seemeth to be the very main Point of all, viz. the power of binding the Conscience, there be no material difference between a Vow and an ordinary Promise; a lawful Promise no less binding unto performance than a lawful Vow, and an unlawful Vow no more binding than an unlawful Promise; yet there is some difference between them, and that of

some importance too, in respect of the relaxation of that bond. For since it belongeth to him to whom a bond is made to grant a release thereof, it belongeth therefore to God alone to release the obligation of a Vow; and no man hath power so to do, because the Vower, by his Vow, bindeth himself to God, not to man; whereas the obligation of a mere Promise, wherein the Promiser bindeth himself but to some man, may be released by that man; and a release from him is to the Conscience of the Promiser a sufficient discharge from the said Obligation: which consideration of what use it will be in the present Case, will in the due place further appear. In the mean time we have evidently proved that this Gentlewoman bound herself by Promise only, and not by Vow.

Point II.

5. We are next to inquire concerning the validity thereof, whether or no the Gentlewoman, *having an husband*^e at that time, were so disabled in that respect from making such a Promise, that the Promise then made by her, without the husband's consent, was utterly void from the very beginning. For the wife is *under the law*, and *under the power of her husband*, and so is not *sui juris*, nor can bind herself by Vow, Oath, Promise, or otherwise, without the privity and consent of her husband;* which consent we may presume this Gentlewoman never had, the Promise being of that nature, that it had been not only immodesty, but even madness at all to have sought it. And it is certain from the Law of God, by Moses, Rom. vii. 2. 1 Cor. vii. 4. to the equity whereof Christians are still bound, because it is Num. xxx. founded upon right Reason and the light of Nature, that every Vow and Promise made by a person that of right hath not power to make it is *de jure nullum*, altogether void from the first instant, and bindeth the party no more than if it never had been made.

6. If any Scruple shall arise from this consideration, that albeit the Promise made by the wife in her husband's lifetime bind her not without his consent, so long as he liveth, because she is all that while under his power; yet after that *she is*

^e Ὑπανδρος γυνή. Rom. vii. 2.

* Compare De Juramenti Obligatione, Prael. iv. §. 5.

loosed from the law of her husband by his death, it shall thenceforth bind her, because she then becometh *sui juris*: I say, this maketh no difference at all in the Case; for this is a general Rule, that what act soever had a nullity in it at the first, when it was done, cannot by any succeeding tract of time grow to be of force.^f As if a young Scholar shall be instituted to a benefice, being not of lawful years; or a young Heir make a sale of his lands during minority, the institution and the sale, as they were both void at the beginning, so they shall continue void, as well after the Clerk is of lawful years, and the Heir at full age, as before: so that, to judge of the validity of any Vow, Promise, or Covenant, respect must be had to that very time wherein it was made,^g and to the present condition of the person at that time, and not to any time or condition before or after. If then there were indeed a nullity in this Gentlewoman's Vow at the time when she made it, there is a nullity in it still; and if it were indeed of no force to bind her then, neither is it of any force to bind her now.

7. But after due pondering of the matter, I rather think, that there was not a nullity in the Promise at the first, neither, supposing it had been rightly qualified in other respects, was it void upon this ground; because although she were not *sui juris absolute*, it is sufficient yet that she was so *quantum ad hoc*. For a person that is under the power of another, hath yet power of himself, and so is *sui juris*, to dispose of all such things as by the free disposal whereof, the proper right of him, under whose power he is, is in no way prejudiced; but in whatsoever may be prejudicial to the other in any of his rights, he is *juris alieni*, neither may dispose thereof without the other's consent; and if such a person shall make a Vow or other Promise concerning any of those things wherein he is *sui juris*, such Vow or Promise shall stand good, and is not void (though possibly it may be vicious in other respects) from the inability of the person that maketh it. As, for example,

^f Quod initio vitiosum est, non potest tractu temporis convalescere. L. 29. F. de Reg. Jur. Div. [Digest. Lib. 50. Tit. 17. Lex 29.]

^g In stipulationibus id tempus

spectatur quo contrahimus. L. 18. F. eodem. [Digest. Lib. 50. Tit. 17. L. 18. Conf. Paulus, Digest. Lib. 45. Tit. 1. L. 78.]

if a servant shall promise to his own father to work with him a day or two in harvest, this Promise, unless his master consent thereunto, shall be void, because the master hath a right in the servant's work, to which right it would be prejudicial if the servant should dispose thereof after his own pleasure; but if such a servant shall promise unto his needy father to relieve him from time to time with a third or fourth part of all such wages as he shall receive for his service, this promise shall be good of itself; neither shall the master's consent be requisite to make it so, because the master hath no right at all in the servant's wages, wherein to be prejudiced by the servant's disposing thereof according to his own mind. Now, forasmuch as the husband's right and power over the wife ceaseth together with his life, as the Apostle expressly teacheth, and so cannot be prejudiced by any act of the wife done after his decease, it is manifest that the wife is *sui juris* to make a Vow or Promise during her husband's lifetime, concerning something to be done after his decease, in case she overlive him, because his right will be expired before the performance of the said Vow or Promise be due: as, to give instance in a case not much unlike to this in question, a wife estated upon her marriage in a jointure or annuity for her life of an hundred pounds per annum, maketh a promise in her husband's lifetime to one of her younger brothers that hath but short means, to allow him thenceforward out of the said estate, ten pounds yearly toward his better maintenance: this Promise is void unless the husband consent, because the performance thereof would prejudice him in that right which he hath during his own life in the revenue of all the lands and annuities estated upon the wife in reversion; but if such a wife shall promise to her said brother to allow him the said yearly sum of ten pounds after the decease of her husband in case she survive him, this Promise is good, though made by the wife in her husband's lifetime, and without his consent, because the husband's right, being so to cease before the Promise is to be performed, cannot be prejudiced by the performance thereof. And this I find agreeable to the best Casuists, whose peremptory opinion it is, that husbands and masters cannot disannul such Vows as their wives and servants make concerning things to be performed at such times as they shall

be from under their power.^h Which position if it be true, (and I yet see no reason why it should not), then doubtless this Gentlewoman's Vow made to her friend, though in the lifetime and without the consent of her husband, was not originally void from the inability to make it, upon this respect, that she was not *sui juris* so to do.

Point III.

8. But though I dare not say, neither do I think that there was a nullity in it, in respect of the person, to make it void that way, yet it cannot be denied but there was much Obliquity in it, in respect of the matter, to make it otherwise utterly unlawful. In which Point much need not be said, because the truth thereof will soon appear; for there was in it manifestly a threefold Obliquity, and thereby also a breach of three several Commandments. The first Obliquity was in respect of the unlawful affection from which it proceeded, which being placed upon another than the husband, and that in such an high degree as to produce a Promise of this kind, must needs be vicious, both for the object and for the measure; and such inordinate affection, by the analogy of our Saviour's expression of the Law, is a violation of the chastity of the heart, and so a breach of the Seventh Commandment. The second Obliquity was, the want of that true conjugal love which ought to be between husband and wife, who ought to have a mutual complacency and delight the one in the other, and to be satisfied at all times with the love, comfort, and society the one of the other; which love, if it had been so thoroughly rooted and seated in the Gentlewoman's heart as it ought have been, would have crushed all motions of unlawful affection towards a stranger in the shell, long before they could grow to such strong resolutions, as by the making of this Vow it appeareth they did; for it is not to be imagined that such a Vow as this could be made, and really intended to be performed, but we must needs suppose in the parties so vowing a kind of weariness

S. Matt. v.
28.

Prov. v. 18.
Eccl. ix. 9.
Prov. v. 19.

^h Vota uxorum vel servorum exsequenda illo tempore quo fuerint sui juris, mariti vel domini non possunt irritare. Navarrus, Manuale, num. 65. et alios. [A summary of

the matter, not a quotation of the words, pp. 238-241. Paris, 1620. or in the third Volume of his Works, pp. 67, 8. See De Conscientia, Prælect. v. §. 6.]

at the least, if not rather some inward loathing of the present yoke, which being contrary to that honour that married persons owe to their yokefellows, is so a breach of the Fifth Commandment. A third Obliquity there was also as a breach of the Tenth Commandment, against those express words, *Thou shalt not covet thy neighbour's wife*: every man and woman being to content themselves with that lot which, by God's Providence, hath befallen them, as in all other things, so especially in that which is of the greatest weight, the lot of Marriage, without coveting or lusting after that which it hath pleased the wisdom of God already to dispose upon another. This Gentlewoman's Promise then being such, as (if it should be brought to an impartial trial before that tribunal which God hath erected in every one's Conscience, and according to the tenor of that Divine Law whereof no Christian should be ignorant) could not be reasonably acquitted from any one of these sinful Obliquities, but not possibly from them all, we may conclude to have been an act utterly unlawful.

Point IV.

9. But because a man may contract an obligation by an act not free from Obliquity, as the saying in such cases is, *Fieri non debet, factum valet*, and we have a ruled Case for it in the Covenant which the Princes of Israel made with the Gibeonites, which, though sinfully made at the first, was necessarily to be kept afterwards, we are therefore to inquire into a Fourth Point, Whether the Gentlewoman, having *de facto* bound herself by such an unlawful Promise, be still by virtue of the said Promise bound in Conscience to the performance thereof, or not? To answer directly to the Point, I take it, she is not bound thereunto; for that saying, *Fieri non debet, factum valet*, hath place only there, where the Obliquity that maketh the act unlawful, may be severed from the substance of the matter about which the act is conversant: as when a man voweth to do something which is not in itself, and for the substance of the matter simply unlawful to be done, but yet voweth it, either rashly and without due advertisement,* or for some indirect and unwarrantable end, or

Josh. ix.
14, &c.
Verse 19.
2 Sam. xxi.
1, 2.

* 'without due advertisement.' bridge Version, 'absque idonea consideratione.'
The Edd. have 'with.' In the Cam-

upon slight and insufficient inducements, or the like, any of these Obliquities are enough to make the Vow unlawful, in respect of the act of vowing; yet because these Obliquities do not necessarily pass upon the matter itself or the thing vowed, but may be severed from it, therefore, though the act of vowing were sinful, the Vow itself for all that may stand good, and bind the party to performance; but where the sinful Obliquity passeth upon the substance of the matter, or adhereth inseparably thereunto, there not only the act of vowing is sinful, but the performance also becometh unlawful. In which cases those other sayings ought rather to have place, *Juramentum non debet esse vinculum iniquitatis: In malis Promissis rescinde fidem: In turpi Voto muta decretum, &c.**

10. If it shall be said, that this difference, being admitted, will nothing avail the Gentlewoman in our present Case, to free her from the Obligation of her said Promise, because here the matter of Promise seemeth not to be in itself unlawful, especially on her part; for if the Gentleman, her friend, were presently free from the bond of Matrimony by the death of his wife, as the Gentlewoman now is by the death of her husband, they might perform what they had promised either to other, by joining themselves in Matrimony, and that without sin; which is an argument that the sinful Obliquity was only in the act of promising, which therefore they ought to repent of, but doth not cleave to the matter of the Promise, which therefore they ought not to violate,—to this I answer, what in my opinion is true, that if both the parties were now actually free from the Marriage bond, they not only lawfully might, but were in Conscience bound (unless some other lawful impediment should hinder) to join themselves together in Matrimony, because none of the forementioned Obliquities, which made the former act of promising unlawful, would fall upon the after-act of Marriage to make it unlawful. But that allegation is not direct to the Point in hand, nor to the Case as it is propounded; for it may be observed from the very form

* Isidor. Hispal. Synonim. ii. 10. Melius est non promittere quam post votum promissa non reddere. In malis autem Promissis rescindatur fides: in turpi Voto muta de-

cretum: quod incaute vovisti non facias. Impia est Promissio quae scelere impletur. Compare De Juramenti Obligatione, Praelect. ii. §. 13.

of the proposal, that the matter of the Promise, wherein the parties interchangeably bound themselves, was not to marry together when they should be both free; upon which false ground the Objection runneth: that was indeed the thing they aimed at therein; but the end is one thing, and the matter another; but the very matter of the Promise was, the continuance of their mutual affection either to other, with a resolution to stay the one for the other, when either party should happen to be free from the bond of the present Matrimony, till the other should be also free. The continuance of which affection and resolution will upon examination be found subject to all, or some of the three Obliquities aforesaid; and therefore, as such an affection and resolution could not be entertained at the first without sin, so neither can they be now continued in without sin; for so long as they continue, the first of the said Obliquities remaineth still, both on his part and hers: the second indeed by the death of the husband is ceased on her part, but remaineth still on his; and the third contrarily being on his part ceased, remaineth still on hers, as will evidently appear to the understanding of any man that shall take the pains to examine it.

11. Yea, and it is further to be considered, that the continuance of such an affection and resolution may be likely to expose as well the one as the other to the assault of more strong and dangerous temptations, now since the husband's death, than before. The danger on the Gentleman's part, this, lest by how much he is now by the husband's death put into a nearer possibility of enjoying his unlawful hopes, he should grow into so much the deeper loathing of his own bed, and so much the earnestest longing that that which is now the only obstacle to the fruition of his desires were removed: of which thoughts, who can tell how fearful the issues might be? The sly Enemy being most ready at all times to practise upon the corruption that is in the naughty heart of man; but especially having a mighty advantage against him, when he hath got his Conscience as it were in a snare, by the engagement of some Vow, Promise, or settled Resolution. And then on the Gentlewoman's part, the danger this, lest, having by her own voluntary act debarred herself of that which is the only

allowed remedy, namely Marriage, she should, by the just judgment of God, be left to the rage of the disease of burning lusts. For upon what sound warrant can she be confident, or with what reason expect, that God should either preserve her from, or assist her against temptations in that kind, though she should seek it of Him with fasting, and prayers, and tears, so long as she tempteth Him by persisting in a wilful obstinacy against that means of remedy which He hath appointed? Indeed, where the hand of God Himself hath prevented the use of the remedy, as if the husband should be long detained in a foreign land, or held in close prison, or taken with a dead palsy, or some other bodily impotence, or the like, there the wife might comfortably implore God's assistance to preserve her from being overcome by carnal temptations, and assuredly rest upon it by faith, if she be not wanting to herself, in putting to her own utmost endeavours, because she hath a Promise to rest upon for that purpose; and God, who is faithful in all His Promises, is also faithful in this, of not suffering His servants to be tempted beyond their strength. But for the wife, by some inconsiderate act of her own, wherein she wilfully and obstinately persisteth, to refuse the appointed means, and yet to expect God's assistance nevertheless, for which she hath no Promise, is a fearful tempting of God. And it is but a just thing with God, and she suffereth it worthily for her presumption, if she be left to herself, and so wrestle with the temptation by her own strength, and so be overcome thereby. For God, who hath after a sort tied Himself, by His free and gracious Promise, to protect us *in Via Regia*, so long as we walk in the ordinary known way that He hath appointed for us, hath nowhere bound Himself to vouchsafe us the like powerful protection *extra Viam Regiam*, if we refuse that highway, to walk in bypaths of our own choosing, which present dangers on both sides. And the former reasons laid together do sufficiently prove, the Gentlewoman is not at all bound to perform her said unlawful Promise.

Point V.

12. Hitherto we have proceeded in *genere judiciali*, by considering of the nature and validity, lawfulness and obliga-

tion of the Promise for the time past. Now we are to deal *in genere deliberativo*, and to consider what in Christian Wisdom is meetest to be further done, for the better both quieting and regulating of the Conscience for the time to come.

Wherein, submitting to men of better judgments and experience, I give my advice as followeth, viz.

First, That the Gentlewoman, out of the serious consideration of the premisses, be brought to a thorough feeling of the grievousness of those sins which she hath committed against God, and wherein she hath so long continued, that so she may not only be humbled in His sight with true contrition of heart and remorse for the same, proportionably to the greatness thereof, but also be provoked to a proportionable measure of thankfulness unto Him, for His gracious goodness in restraining her unlawful affections from breaking out into actual uncleanness, and preserving her, when she had run out so far in an evil way, from rushing into more desperate extremities. For *Erranti nullus terminus* :* as a stone that tumbleth down a steep hill, so man's corruption, when it is once set on going, hath no stay of itself till it come to the bottom of Hell, unless the Lord lay a stop in the way ; and it is to be acknowledged a blessed act of God's merciful Providence, when we have let loose the reins to our own lusts in any kind, if they be bridled from running headlong into all excess of wickedness. Great sins require more than ordinary repentance, and great mercies more than ordinary thankfulness.

13. Secondly, That having thus humbled herself before God by inward contrition, she also make an outward free confession of her said sins to him to whom God hath delegated a ministerial power to remit sins, that she may receive comfort and absolution from his mouth : I mean the Priest. And this I think meetest to be done to the Bishop of the Diocese, with one or more of his Presbytery, such as he shall think good to take to him to assist him ; or else to some other by his appointment. Because the Bishop is the chief Pastor, to whom the care of souls most immediately belongeth within his own

* See the Preface of 1655, §. 11. Vol. ii. p. xi.

Diocese : besides that both the quality of the person, (if she be of eminent place and rank,) and the weightiness of the case, make it so much the more proper for his cognizance. But, howsoever, it should be done to a man of approved wisdom, and such an one as will be both compassionate and secret : wherein the more freely she shall make confession of her said sins, and the more cheerfully she shall subject herself to perform such further acts, whether of humiliation or charity, as the Bishop or Priest shall advise to be done, in testimony of her unfeigned repentance, the more sound comfort undoubtedly will the sentence of absolution bring unto the soul.

14. This done, then, thirdly, that she endeavour by all fair means that the Gentleman also, her friend, and partner in the aforesaid Promise, may be brought to the like sight and acknowledgment of the great sins that were enwrapped in that act, and to a true persuasion withal, that so long as he continueth in the former unlawful affection and resolution, he is not only still under the guilt of those sins, but also in near danger, without God's great Mercy preventing it, of falling into other and greater sins : for which purpose it will be expedient, that he be truly and effectually dealt withal, (yet with as much lenity as the state of his soul will suffer, and with all possible secrecy,) and that by some such person especially as he holdeth a reverent opinion of both for Learning and Piety ; and to procure that this be done, the Gentlewoman ought to take it into her own special care ; which it will concern her to do, not only in Christian Charity for the good of his soul, but in Christian Wisdom also for her own future benefit and security.

15. For when he shall be once thoroughly convinced in his judgment and conscience of the unlawfulness of the Promise made between them, and of the sinful inconveniences that attend the continued purpose of fulfilling it, there is a fair way open for that which is next, and fourthly, to be done ; viz. That he be then earnestly moved for his relaxation of the said Promise to the Gentlewoman, which, being it was but a mere Promise, and no Vow, as in the first Point hath already been showed, he hath in himself a full power to make ; and this also

to be done in the presence of such persons, as they shall make choice of betwixt themselves to be witnesses of the said Release; for although the Promise, being utterly unlawful, hath no power to bind, and so there needeth no Release, as of absolute necessity, in regard of the thing itself, yet such Release may be very behoveful in regard of the Gentlewoman's person, and for the quieting of her conscience, in case there should remain any fears or scruples behind, lest perhaps her Promise should still bind her. For as Satan laboureth to benumb the Conscience with security, to make men bold to commit sins without scruple, till he hath drawn them into the snare; so when he seeth them offer to get out of the snare again by repentance, he is very cunning to inject needless scruples and fears, if possibly he can, to hold them in by means thereof. Wherefore I hold it very expedient that such a Release, if it may be obtained, be not neglected; for thereby the binding power of the Promise, though we should suppose it lawful, should be quite taken away, so as there need no scruple to remain. *Abundans Cautela non nocet*, is a safe Aphorism.* As wary men, when they pay moneys, besides seeing the book crost, will crave to have an acquittance, so it may be some satisfaction to the Gentlewoman's mind to have a solemn Release before witness; which, say it should be more than needeth, yet can do no harm howsoever.

16. Fifthly, that the Gentlewoman, all the while before, and so ever after, (that time only excepted when the relaxation should be made, for then it is requisite she should be personally present,) carefully avoid the company of that Gentleman, and he likewise hers, so far as conveniently may be; but at leastwise, by no means converse together with any familiarity, especially in private, lest the former unlawful affection should rekindle in either party, and so the disease after some measure of cure grow to a relapse, which many times proves more dangerous than the first malady. For commonly, when the unclean spirit is ejected by repentance, if once he make himself master of the heart again (as he will attempt it, and without a good watch haply effect it) he will

* Prateus, Reg. Gen. Juris. Lib. vii. Tit. 7. cap. 1. p. 893. 8°. Lugd. 1589.

be sure at the reentry, to come with a new strength, and that seven-fold to what he had before; and needs must *the end of that man be worse than the beginning*. She must therefore resolve to shun all likely occasions of falling again into the same snare, so far as the quality of her person and condition, and the common affairs of life will permit. And she had need also to use her best care and diligence (praying to God daily for grace to strengthen her thereunto) to withstand all wicked temptations of the flesh, that she be no more foiled thereby, neither entangled again in such sinful inconveniences as by God's Mercy she shall be now freed from.

17. If in these Directions I be thought to deal with too much rigour and strictness, it would be considered,

First, That it is much better to put the patient to a little more pain at the first, than, by skinning the wound over, to heal it deceitfully, and to suffer it to rankle inward; which will breed a great deal more grief at last.

Secondly, That since all men, through corrupt self-love and privy hypocrisy cleaving to our depraved nature, are partial towards themselves, and apt to deal more favourably with their own sins than they ought, it is therefore safest for them, in their own cases especially, to incline to severity rather than indulgence.

Thirdly, That there may be a mitigation used of the present Directions, according as the state of the patient, in the several variations thereof, shall require; but that, for the avoiding of partiality, not to be permitted to the sole liberty of the party herself, but rather to be done by the advice of a ghostly Physician, who, if he be a man of such wisdom and moderation as is meet, will I doubt not allow a greater indulgence, in case he see it expedient, than it could be safe for the party herself to take of her own head.

Fourthly, That in all this Discourse, I take not upon me to write edicts, but to give my advice: that is to say, not to prescribe to the judgment of others, if any shall see cause to dissent, but to deliver my own opinion (being requested thereunto by a Reverend Friend) with such a faithfulness and freedom as becometh me to do; and truly those parties whom it most concerneth ought not to blame me for it howsoever; inasmuch as there can be no cause to suspect that I

should be carried with any personal respects to be partial either for or against either of them : so God is my witness, whom I desire to serve, I had not any intimation at all given me, neither yet have so much as the least conjecture in the world, who either of them both might be.*

* Paley, in his *Moral Philosophy*, Book iii. Part i. Chap. 5. pronounces Sanderson's decision to be wrong. But, unless he had seen a different Copy of the Case, he mis-

states it in several particulars, and wholly omits the fact that, at the time the Promise was made, the woman was married as well as the man.

THE CASE OF
A MILITARY LIFE.

SIR,

IN referring over your friend to me, you have pitched upon one of the unfittest persons in the world to be consulted in Cases of that nature, who am altogether a stranger to the public affairs of Christendom, and understand nothing at all of the mutual interests, relations, or transactions of foreign Princes or States. Yea, so little curious have I been to inform myself so much as where the stages lay of the chiefest actions of these latter times abroad, or what persons were engaged therein, that I have something pleased myself, perhaps too much, with my own ignorance in our home affairs, accounting it among the happinesses of my privacy and retiredness, in these unhappy times, that, amidst so much fury and bloodshed on every side, it was never my hap to be within the view of any battle or skirmish; nor did I ever see so much as a pistol discharged, or a sword drawn against any single person, since the beginning of the War. I could have wished therefore, since my Opinion herein is desired, that I had had the opportunity to have advised with some more knowing men, and of greater experience and judgment than myself in these matters; or at least that you had sent me, together with the two enclosed Letters, a transcript of your Answer (whose judgment I do with great reason very much value) unto the former of them; for there I assure myself, I should have met with such materials as would have served me for a good foundation to work upon. Yet to satisfy your desire, so far as in me lieth, and the rather for the Gentleman's sake your friend, (who, though unknown to me by face, or, till the receipt of your Letter, so much as by name, yet by his Letters appeareth to be a person of piety and ingenuity, and a great master both of reason and language,) I have endeavoured, with reservation of place for second thoughts, and submission to other judgments, to declare what

my present apprehensions are concerning the whole business. Wherein the resolution of such doubts as in point of Conscience may arise, or of the most and chiefest of them, will, as I conceive, very much depend upon the consideration and right application of these four things, viz.

I. The different sorts of men's Employments in general.

II. The nature of the Soldier's Employments in particular.

III. The end that men may propose to themselves in following the War; or what it is that chiefly induceth them thereto.

IV. The condition of the person so employed, or to be employed.

I. *Considerations of men's Employments in general.*

1. Men's Employments are of two sorts. The one of such as any man may, without blame from others or scruple within himself, follow, merely upon his own score, if he find himself in some measure able for it, and have a mind thereunto. He hath a power in himself, and that *Jure proprio*, by a primitive and original right, without any necessary derivation from others, to dispose of himself, his time and industry in that way. For the exercise of which power, there needeth no special or positive warrant from any other person; but it is presumed he is, as in relation to others, sufficiently warranted thereunto in this, in that he is not by any superior Authority, Divine or human, forbidden so to do; and upon this account it is that men betake themselves, upon their own choice and liking, to husbandry, merchandize, manual occupations, the study of the Law, &c.

2. But another sort of Employments there are, whereunto a man hath not a just right primitively, and of himself; neither may he lawfully exercise the same merely upon his own choice; but it is necessary that that power should be derived upon him from some such person or persons as have sufficient Authority to warrant him for so doing. Such is the Employment of a Judge, a Constable, an Arbitrator, &c, which are therefore said to be *Juris delegati*, because the right that any man hath to such Employments accrueth unto him by virtue of that Authority which he receiveth by delegation or deputatation from some other that hath a right by command, election,

nomination, or otherwise, to empower him thereunto: whence are those usual forms, *Quo jure? Quo warranto? Who made thee a Judge? By what Authority dost thou those things? Or, Who gave thee this Authority?* A man may betake himself to the study, and so to the practice of the Laws, of his own accord; but he may not take upon him to be a Judge, without commission from his Sovereign. So he may follow husbandry and merchandry, upon his own choice; but he may not do the office of a Constable, unless he be chosen by the neighbours; or of an Arbitrator, unless chosen by the parties thereunto.

3. Now, although as well the one sort as the other, after a man hath addicted himself to the one, or is deputed to the other, may not unfitly be termed his particular Calling, and the latter perhaps with better propriety than the former, (for the word Calling properly importeth the action of some other person,) yet according to the common notion which, by custom of speech among us, we have of these terms, the General and the Particular Calling, the Employments of the former sort are usually taken to be the particular Calling of men, and those of the latter sort will be found, if well considered, to fall rather under the general Calling, as branches or parts thereof: inasmuch as the exercise of such Employments is a part of that moral duty which all men, according to their several respective relations, ought to perform to others, being by them empowered thereunto, upon the tie of obedience, contract, friendship, &c. But for distinction sake, as the Latins make a difference between *Vitae institutum* and *munus*, we may call those of the former sort a man's Profession, and those of the latter sort his Office. So a man is by profession a Lawyer, by office a Judge; by profession an Husbandman, by office a Constable.

4. To bring this Discourse home to the present business, we are next to inquire, to whether sort of the two the Employment of a Soldier doth more properly appertain: that is, whether we are to conceive of it as a profession which a man may at his own choice fix upon, as his particular vocation, or rather as an office of duty and service, which he is to undergo when by the command of his Prince he shall be thereto appointed, and so to come rather under the notion of a general

Calling? To me it seemeth clearly to be of the latter sort. For, first, in the passage of St. Paul, 2 Tim. ii. 4, *No man that warreth entangleth himself in the affairs of this life, that he may please him that hath chosen him to be a Soldier*, the word *στρατολογήσαντι*, applied to him that warreth, with the note of Universality, *οὐδεὶς στρατευόμενος*, annexed, seemeth to imply, as if he supposed that no man might go to war, unless he were chosen for that service by some other person that might command it. Nor do I see, secondly, what good construction can be otherwise made of that speech of our Saviour, S. Matt. xxvi. 52, *All they that take the sword shall perish with the sword*; or what should be the crime there intended to be signified by this phrase of taking the sword, if it be not this, for a man to take the sword into his hand by his own Authority, before it be put into his hand by that Supreme Power, whom God hath immediately trusted with the bearing and managing of it. Nor, thirdly, can that be said to be a man's Profession, or particular Calling, which men of all Professions are, in obedience to their Governors, and for the service of their Country, bound to perform whensoever they shall be by lawful Authority called and appointed thereunto.

5. If these premisses will be granted, it will soon appear that the answer to the Question proposed in the beginning of the former Letter, as it standeth there *in terminis* and *in thesi*, abstracted from the consideration of the person in the said Letter charactered, and those other circumstances which may vary the Case, must be in the Negative: viz. that it is not lawful to be a Soldier upon the same account that men apply themselves to Trades and the practice of the Laws, and to other like civil Employments.

II. *Consideration of the Soldier's Employment in particular.*

1. The care that ought to be in every man that taketh upon him the exercise of any office, to be well assured that he hath a sufficient right and warrant for so doing, is no less requisite in a Soldier than any other officer. Yea, rather by so much more requisite in him than in most of them, by how much the matter he is conversant about, viz. the life of man, is of greater consequence than are the matters in which most of them are employed. For the Soldier, every time he draweth

his sword in the field, is by the very nature of his Employment supposed to do it either with a resolution to lose his own, or to take away his enemy's life: else he doth but prevaricate, and is unfaithful in the service he has undertaken. In which service, if it be his fortune either to kill or be killed, he is actually and deeply guilty; but if neither, yet that very resolution maketh him intentionally guilty of the transgression of the Sixth Commandment, *Thou shalt not kill*, in case he have no good right so far to dispose either of his own or the other's life. It concerneth him therefore to look well to that: both what power belongeth to him as a Soldier, and by what Authority he claimeth the exercise of such a power.

2. Most certain it is, that properly and originally the power to dispose of man's life, *Jus vitae et necis*, belongeth to God alone, who is *Dominus vitae et necis*: as the sole Author of life, so the sole Lord and Master of life and death. Some part of which power, since it hath pleased Him, for the good of human society, in the preservation of peace and justice, and the punishment of such as are enemies to either, to communicate unto men, which power, so communicated, is that which we use to call *Jus gladii*, or the power of the sword, it may therefore be lawfully exercised by men; but within that latitude, and in order, as God hath communicated it to them, but not further nor otherwise.

3. Now God hath not given to any man, either Sovereign or Subject, power over his own life, to destroy it by his own voluntary act in any case: no, nor yet power to expose it to the certain hazard of being destroyed by another in fight, saving in the one only case of just and necessary defence: under which notion is to be comprehended also the hazarding of the Prince's life, in a just and necessary War. Out of which case, whosoever shall expose his life to hazard by fight, of his own accord, if he perish in it, cannot be excused from being guilty of his own death, nor from usurping a power over his own life which God hath not allowed.

4. Add hereunto the injustice that he thereby doth to his Sovereign and Country. God hath given to His Vicegerents here on earth a right in, and a power over the persons of all their Subjects, within their several respective dominions, even to the spending of their lives in their Country's service, when-

soever they shall be by their authority required thereunto, which they cannot therefore prodigally spend at their own pleasure, without apparent wrong done to their Governors' interest. For as he that shall kill a private person is not only an offender against God, and against that person, in depriving him of life, but is also by the interpretation of the Laws, according to the importance of the ancient form of indicting, an offender against the Crown and Dignity of his Sovereign, in depriving him of a Subject, and consequently of the interest he had in his person, and of the use he might have had of his service, so he that is so prodigal of his own life as to hazard it upon the sword in fight without his Sovereign's authority, if he perish, is not only guilty of his being accessary to his own destruction, but doth also an act injurious and prejudicial to his Sovereign, at whose service and disposal, under God, his life and person ought to be.

5. And as his presumption cannot be excused, if he be slain upon that account, so neither can he justify the killing of another, though an enemy, in battle, if he have no other warrant for taking of arms, than from himself. For War is a kind of Judicature, wherein the Prince that wageth the War, is as the Judge that giveth sentence of death against the enemy, as a disturber of the peace of his Country; and all that engage in the War under him are but as so many executioners of the sentence pronounced by him; and he that executeth the sentence of death upon another, must do it by some lawful authority, as well as he that pronounceth the sentence; or else he is a murderer as well as this. Now the Soldier, that by fighting on the one side doth *ipso facto* declare against those of the other side as enemies, if he so engage of his own mind only, he doth indeed, upon the point,* take upon him the office of a Judge, being none, and so runneth before he be sent. Or, if it shall be said in his behalf, that he doth it not as a Judge, but as the executioner of the sentence pronounced by that Prince into whose service he hath put himself, and who by the accepting of his service hath sufficiently authorized him to such execution, your Letter hath suggested to me this ready Answer, That the sentence pro-

* 'upon the point,' *strictly speaking*. See Sermon vii. ad Aulam, §. 3.

nounced by one that is not his lawful Sovereign, and by consequence, whose judgment he is not warranted to follow, is of no more validity, as in relation to him, than *Sententia lata a non Judice*, and therefore can be no warrant to him to execute it. True it is, that with license from his Sovereign, he may serve under another Prince, and consequently do such execution as we now speak of; because the Sovereign by so licensing him doth really refer him over from himself to another's judgment, and consequently warrant him to follow the same, and so render him capable, upon the other's acceptance, to execute it. All this is true, but nothing to our purpose, because it doth *destruere suppositum*; for we now suppose the case of a Soldier putting himself into service under a Foreigner of his own mind, and where himself thinketh good, without the knowledge or license of his own lawful Sovereign.

III. *Consideration of the end to be proposed by the Soldier.*

1. Sith the goodness or badness of men's actions and undertakings dependeth very much upon the end which they propose to themselves therein, he that would desire to lead a Soldier's life, must narrowly examine his own heart, what it is, *bona fide*, and in very deed, that first and chiefly induced him to that desire; and what affinity there is between that end which he proposeth to himself as the main scope of his intentions, and that which is or ought to be the true end of the thing itself. The true end of the War, which only can warrant it lawful, we all know is the necessary preservation of a Commonwealth in peace, by repressing or preventing all seditions, or hostile attempts to the contrary. But as in other things it often happeneth according to that saying, *Finis non idem est artis et artificis*,* so here many times the warrior hath another end to himself far distant from that of War; and the more distant ever the worse. As, on the contrary, the action is ever by so much the better, by how much the intention of the person hath a nearer affinity with, or a directer tendency unto, that for which the thing itself was ordained.

2. Now the ends which men, desirous to follow the Wars, do usually propose to themselves in so doing, are especially

* Compare De Conscientia, Prael. ix. §. 9.

one of these three, lucre, honour, or to do their Country service. Concerning which, we are to inquire severally, whether or no and how far forth any of these may be a sufficient inducement to a Christian, or but moral man, to follow the Wars, as his particular Calling or Profession.

3. For Lucre first. He that hath a warrant otherwise to employ himself as a Soldier, may doubtless lawfully both receive pay, and require it. John the Baptist allowed the Soldiers τὰ ὀψώνια, Luke iii. 14. And St. Paul thought it not reasonable that any man should go to *warfare at his own charges*, 1 Cor. ix. 7. Not so only, but he may also, in putting himself upon that employment, being called thereunto, have an eye to his profit, and an actual intention, if moderate, and otherwise rightly qualified, of getting himself a livelihood, yea, and of raising himself a fortune, as we call it, by his service therein: even as men in the choice of other professions, or undertaking offices, usually do, and may do without sin. But to propose to himself Lucre as the main end and scope of following the Wars, as it is evident by their actions that very many of our Common Soldiers do, is one of the most hateful and unrighteous things in the world: so far is it from being a sufficient inducement to any man to make that his profession. How can it be imagined to be consistent with that charity, justice, and moderation that should be in every Christian to set up a trade of killing of men for money? The mere mercenary Soldier therefore, or a Soldier of Fortune, as we call him, I find everywhere inveighed against as one of the greatest scourges or plagues of mankind. For such men never look at the Cause they engage for, whether it be right or wrong; but at the pay and prey; and therefore they take their best markets, and care not whom they undo, kill, and oppress, by violence, rapine, murder, and plunder, so that they may but enrich themselves thereby, and can do it with safety. Nor will they stick, if there be an advantage to be made of it, and that they can spy a fit opportunity for it, either to betray their own party, or to revolt to the other side, or to do any other act, though never so base and dishonest.

*Nulla fides pietasque viris qui castra sequuntur.**

* Lucan. x. 407.

4. Next, the intuition of Honour and Glory to be acquired by worthy actions in the Wars, may be not only lawful, but commendable also and useful in a Soldier; and truly this of Glory is a more noble end, of a higher pitch, and more befitting a generous spirit by much than that of Lucre is: both because men of eminent birth and place and parts are aptest to be affected with it, whereas Gain worketh most upon the lower sort of men; and also because it putteth men upon more worthy enterprises, and such as may win honour and reputation; and restraineth them from those baser acts of injustice, cruelty, and rapine, to which the desire of Gain usually prompteth the mercenary man. But yet, as to the warranting of the Soldier for making that his Profession, which is the Point now in hand, this of Glory is of no more importance than was that of Gain. For the right end of War being a safe and honourable Peace, there is something common to both, consequential to the desire of Glory as well as of Gain, so inconsistent with that end, that it setteth them at an equal or not much unequal distance therefrom. For as he that aimeth to gain by the Wars cannot but desire the continuance of War, that so his hopes of Gain may continue, so he that aimeth to get himself Glory by the Wars, cannot but desire the continuance of War, that so the opportunities of increasing his Glory may continue. For there is a dropsy of vainglory in the ambitious, as well as of avarice in the covetous, as thirsty and unsatiable in the one as in the other; whence it cometh to pass, that both the one and the other use their utmost wits and endeavours to find occasions to lengthen the Wars, and to obstruct and retard, so much as lieth in them, the advices of Peace. Nay, let me add moreover, that in this respect at least, viz. as to the effectual hindering of Peace, that of Honour and Glory is much the more dangerous end of the two: because this humour is aptest to seize upon the greatest persons, and such as by privilege of their birth, eminency of their places, activeness of their spirits, glory of their former actions, or other like advantages, bear a great sway in Councils, and are of some authority in the Armies: whereas the Peasantry, in whom most of the other humour, that of base Lucre, aboundeth, have neither the wit nor the power ordinarily to do much harm. It hath therefore been a constant observation

in all times and places, that the embroiling most Commonwealths in Wars in the mean time, and working their ruin in the end, hath grown from the restlessness of some ambitious spirits, and their immoderate thirst after Honour and Glory.

Patriam tamen obruit olim

Gloria paucorum, et laudis titulique cupido.

Juvenal, Sat. x. [142.]

5. So that if there be any possibility of finding a person capable to take upon him the employment of a Soldier, as his proper profession, it must be among those that propose to themselves the same end therein, that is, or ought to be the end of War: that is to say, those that after an impartial search of their own hearts, can truly say, and not pretend it only, that their chiefest aim in applying themselves to the Wars, is to do their King and Country service, in procuring or preserving the peace thereof; which no man can truly say, but he that preferreth the public good, and the peace of his Country, before all private interests. The trial whereof is, if he take up arms with this resolution, and by his after-carriage make it good, not to do any act, or enterprize any thing for his own benefit, glory, or safety that may hinder, nor to refuse any service or hazard that may probably promote, the obtaining that end; which qualification supposed, I deny not but that a man may find warrant to go on in the way of a Soldier as his proper profession, and that in two cases.

6. First, that, which in the nature of the employment itself is rather an office than a profession, such as we have already shown the Soldier's employment to be, may yet become to the person so employed as his proper profession, if he shall be appointed thereunto by the lawful authority: especially if it be done with a declared intention, whether expressly or interpretatively declared, of continuing him for life, or for any long space in the same; and that the said employment, during such his continuance therein, shall require his personal attendance, either constantly or for the most part. As for example, a Lawyer by profession and practice is by his Sovereign called to be a Judge of either Bench, or a Baron of the Exchequer: the office of a Judge is now become his profession, or particular vocation, because it is supposed that he is to continue in that

office;* and the execution of that office will require his attendance thereupon, in the yearly Terms and Circuits. But if the King shall appoint a Serjeant or Counsellor at the Law by his particular commission to ride this Summer's Circuit, into such and such Countries,† and there to execute the office of a Judge, the party so constituted and appointed hath, by virtue of that commission, full power to do the office of Judge in that Circuit, and is to be received and honoured with the title of Lord and all other testimonies of honour and respect, in as much ample manner as other Judges in their Circuits are. Yet doth he not thereby come to be denominated a Judge, as if that were his proper profession or ordinary calling, as in the former case; because he is empowered to execute the office of a Judge but during the time of that circuit only; nor is his attendance upon that office any longer required, or so much as allowed him. In like manner, if the King of England shall make choice of some person of quality to be Governor of Dover Castle, or of Berwick, that office then is as his profession, or particular calling, because it is to be supposed he is to continue in that employment, and to attend the same until the King's pleasure be further known therein. But if the King, upon some sudden insurrection and invasion, should raise an army, and make choice of some person of like quality to have the conduct thereof, for the suppressing or repelling such insurrection or invasion, his employment in that service being but temporary, and to determine as soon as the business were ended, should not otherwise than in courtesy denominate him a General; or at least not to be esteemed as his permanent profession, but only as a transient office. This is one case.

7. The other case, which is more pertinent to the business of these Letters, is of such as desire to employ themselves in the exercise of arms in Foreign Service, that they may attain to such knowledge or experience in the Art Military as might the better enable them to do their King and Country service, whensoever there should be need thereof. For since the managery of War is long since grown into an art, and that not

* 'because it is supposed—that office.' This clause is not represented in the Cambridge Version.

† 'Countries,' parts of the Country, = Counties. Compare Sermon

iv. ad Populum, §. 42, and the Dedication prefixed. In the Cambridge Version, 'per hos vel illos Comitatus.'

to be learned from books or from private study, but to be acquired by much practice and experience, and diligent observation; and the rather for that the particular rules of that art do not stand at such a certain stay as those of most other arts do, but are daily altered and improved by new inventions,—it is very necessary for every State to be well provided of a good number of such persons of their own nation as should be expert and skilful in that art, lest they should be forced, if an unexpected War should happen, to call in Foreigners for assistance, which is both dishonourable and dangerous. The necessity hereof too well appeareth by the evil consequents of the neglect of it in this Nation in these latter times, especially in the reigns of the two last Kings, by reason of the long Peace; and (which commonly breedeth out of it as the rust and canker thereof) tenderness of education and voluptuous living. The Nobility and Gentry of England, in the generality of them, had so much degenerated from the martial prowess of their ancestors renowned in all Histories, that, in the beginning of these unnatural Wars, there were very few to be found of our own Nobility and Gentry fit to have command in an Army, or that knew any thing belonging to the art of War. Insomuch that use was made on both sides of mercenary men, and most of them Scots, who, being for the most part bred up abroad, in France especially, a place of much action, had learned experience more than our English had in such matters. By which advantage they had so wound themselves into the chief places of Command, and had such an influence into the Councils of both sides, that the War was in a manner wholly ordered by their directions: witness the great power that Ruthen, Urrey, King, Meldrum, &c,* had in the Armies on either side.

* Patrick Ruthen, Earl of Forth and of Brentford, after Lord Lindsey fell at Edgehill, had the command of the Royal Army till he was disabled by a wound received at the second battle of Newbury.

Sir William Urry, after having a command in the Parliamentary Cavalry at Edgehill, went over to the King, in 1643; deserted back again to the Parliament, in 1644; and was executed as a Royalist in 1650 among the officers taken with the Marquis

of Montrose.

King acted as Lieutenant General of the Royal Army, while it was under the command of the Earl of Newcastle.

Sir John Meldrum in 1644 besieged Newark, and would have taken it but for the relief of Prince Rupert. The imminent peril of this important Garrison, in his own neighbourhood, could not fail to make a deep impression on the mind of Sanderson.

8. The weightiness then of Princes' affairs, upon all emergent occasions, rendering it necessary for them, not only to have power to command their Subjects of whatsoever rank or profession to serve as Soldiers in their Wars, but also to provide aforehand for a supply of able men, both for places of Command, and to execute other parts of that service, which cannot be done, unless a considerable number of persons be trained up in the exercise of arms, and bred Soldiers, it is consequently necessary that some persons be, either by their authority appointed, or at least by their permission allowed to addict themselves to a military course of life, as their proper profession and calling. Which authority or permission from their Sovereign will sufficiently warrant to their Conscience the choice of that profession: supposing, as now we do, that the intention be right, the person meetly qualified, and all other cautions in respect of the matter, manner, circumstances, and otherwise, duly observed.

9. The necessity of learning this Art granted, there may sometimes follow a further necessity, viz. of learning it abroad, and, after it is learned, of exercising it abroad, and in Foreign Service. And that in these two cases: first, when the Soldier's own Country, whereunto his service is principally and in the first place due, hath either the happiness to be in a settled peace and freedom, under the government of a lawful Sovereign; or the unhappiness to be in such servitude, through the prevalency of an Usurping Power, that no resistance can be made there-against. For, in the former case, there is no exercise at all of the Soldier's faculty in earnest; and of what little avail to the attaining of any solid knowledge or experience in the Art Military, such superficial trainings as were used, and those but very seldom neither, by the Lieutenants of the several Counties here in England, with the Country Captains and Muster-Masters are, beside that our own Reason will tell us, the rawness and unserviceableness of our Trained Bands in the beginning of the late Wars did abundantly manifest. And in the latter case, the Soldier, if he will have Employment at home, must either engage on the behalf of an unjust Power, or else run upon his own certain destruction to no purpose.

IV. *Consideration of the Condition of the Person.*

1. This must be considered too; for the different conditions of persons may make a great difference in the lawfulness or unlawfulness of their actions, according to the old saying, which holdeth true in this sense also, no less than in that other in which it is commonly used, relating to men's corrupt partialities, *Duo quum faciunt idem, non est idem*.* In your Friend's second Letter I find a demand made, as in the way of reply to some passage of your Answer to his first Letter, to this purpose: Suppose two great Princes, as France and Spain, for instance, have had long Wars together, and the justice of the cause appear neither more nor less on the one side than the other, if in case a third Prince or State, out of a sincere desire to establish the Peace of Christendom, after other offers and médiations for that purpose made in vain, might lawfully join in arms with the one party to force the other to Peace; why a private person might not as lawfully, having the same intention, enter into arms for the same purpose. And the reason of demand thereof is, because every Prince or State is, in relation to other Princes and States, but as one private man to another; for being called to the regiment of his own people only, he is but as a private man *in aliena Republica*.

2. But that there is a great difference between a Sovereign Prince and a private person in this affair, it cannot be denied; insomuch that I find in the very same passage, put in as it were by way of Objection, three very considerable differences. First, that Princes may, and sometimes are obliged by Articles and Covenants, for the defence of their Allies, to take up arms, which cannot be the case of private men. Secondly, that Princes may see cause to set in† for their own safety and interest, lest the prevailing Party might grow too potent, and so themselves might be oppressed by him. Thirdly, there is a greater probability in a Prince of compassing that noble and glorious end, the Peace of Christendom, than can be in a private man. All these differences are allowed there as true, but yet excepted against as not contributing any thing to the justice of the cause, which is here the question.

* Compare Sermon i. ad Aulam, §. 18.

† 'set in.' See Sermon vii. ad Aulam, §. 26.

3. If these do not, yet a fourth difference there is, that will, as I conceive, manifestly contribute thereunto, to wit, that *Jus Belli* is *penes Principem solum*: in the business of War Princes have judicial, private men an executive power only. And he that hath no power but to execute the sentence of a Judge, is bound to wait the Judge's sentence before he offer to act: otherwise he shall act beyond his lawful power, which is unjust. Not but that a Prince, if he raise a War where he ought not, is unjust too; even as a Judge is unjust, which pronounceth a wrong sentence. But herein is the difference between them for taking up of arms: the Prince having *jus agendi* in that behalf, may do it justly, and he may do it unjustly; yet where he doth it unjustly, he doth but *abuti jure suo*; but the private person, not having *jus agendi* in that respect, cannot, without the authority of the Sovereign, do it otherwise than unjustly, because in so doing he doth without leave *uti jure alieno*, which is always unjust. It is one thing for a man to use, whether well or ill, a power that of right belongeth to him, and another to assume a power that of right belongeth not to him. The one is not unjust, unless he abuse his power; the other is, if he use it at all.

4. Neither perhaps will the reason alleged to the contrary, viz. that a Prince in point of justice and power is *in aliena Republica* but as a private person, bear so much weight as is laid upon it, if one Point be well considered, which I think will prove a truth, though it be very tenderly handled: otherwise it may prove very dangerous, both because it may seem a Paradox to those that have been little conversant in public affairs; as also, and especially, because it may, by racking it too high, be easily wrested to a mischievous construction, for the patronage of any tyrannical action. The point is this, that *Justitia politica* and *Justitia privata* have not in all the same adequate measure. Princes are bound to be just, as well as the meanest private men are; and obliged to keep faith, both with friends and enemies, every whit as exactly and punctually, without equivocation, reservation, or other eluding devices, as they. Of all this no man doubteth; but it is not therefore necessary that the Rules of Justice, whereby the counsels and actions of Princes and States in their mutual relations are to be measured, should be precisely the same

with those which measure the dealings of private men one with another.

5. And the reason of the difference is evident. Private men's controversies may be decided, and their injuries repressed or punished, by the positive Laws of the State, whereof they are members, and consequently subject to be ordered in all their dealings by those Laws; which positive Laws, together with the Law of Nature and the Divine Law, which are common to all men, are the adequate Rule, whereby the justice of private persons, and of their actions, is to be measured. But since Princes and States are not subject to any such positive Laws common to them both, as may determine their differences and controversies, the great necessity of human affairs hath, for the good of mankind in the preservation of Peace, introduced, by the common consent of Nations, another Law of larger extent, that which we peculiarly call *Jus Gentium*, or the Law of Nations, whereof that which we call the Law of Arms is one special part; by which Law of Nations, together with the Law of Nature and the Divine Law as aforesaid, the Justice of Princes and States, and of their actions is, as by the proper adequate Rule thereof, to be measured. Whence it cometh to pass that sundry things are by the Rules of Politic Justice allowed as lawful and just between Princes, which between private men would, by the Rules of mere Moral Justice, be condemned, and that deservedly too, as unjust and unlawful. There are sundry *Arcana Imperii*, some arts and simulations for maintaining intelligence abroad, for concealing and disguising counsels at home, in the instructions of ambassadors and managing of embassies, in making alliances and confederacies, but especially in the pursuance and effects of War, which seem much to swerve from the ordinary precepts of Moral Justice; which yet, *fide integra et citra dolum malum*, are by the consent of Nations allowed to be used, and so must be, or else there could be no secure living in the world in any society. That saying of his,

*Atque ipsa utilitas, justi prope mater et aequi,**

had somewhat of truth and reason in it.

6. The truth and reasonableness of what hath been said will appear (omitting many other) in these few instances.

* Horace, Sat. I. iii. 98.

First, when a town is taken by the enemy, by the Law of Nations the spoil thereof falleth to the conqueror; which if he give to the Soldiery to plunder, as usually is done, every Soldier thereby acquireth a just right and dominion in that which he can lay his hand on first, and take into his possession. Secondly, it may sometimes concern a Prince or State in point of honour or safety to vindicate himself by War, for some wrong offered to his merchants, or for some rudeness or incivilities done to his ambassador; for even these, in case reparation be demanded and denied, have been ever held just causes of War; as *Amphitruo* in *Plautus* rendereth that as a sufficient reason of his War,

*Nimis ferociter legatos nostros increpant.**

In this case it is by the Law of Nations allowed him, not only to fight against the Prince himself, who yet only did the wrong, but to waste his country, fire his towns and villages, and spoil thousands of his innocent subjects of their fortunes and lives in pursuance of his just revenge; but if a private Gentleman wronged by his neighbour should in like manner, in revenge of that wrong, beat his servants, vex his tenants, and seek his or their undoing, the act were palpably most unchristian and unjust. Thirdly, since potent Princes have, for the most part, great ambitions, and ambition is a boundless lust, it behoveth a Prince, for his own safety, to have a watchful eye over the motions and designs of a potent neighbour almost as much as of a declared enemy; and therefore wise Princes have ever been careful by all just means to balance their neighbour Princes and States, as near as they could, in such a proportion as might hinder the over-growth of any one above the rest. In order whereunto it hath been held lawful for a Prince, laying aside the consideration of the Cause, to join in arms with the weaker, for his assistance against his potent adversary, who else were likely in a short time to swallow him up, whereby he should become formidable and dangerous, as well to himself as to the other his neighbour Princes and States. Upon which account alone, were there no other reason besides, it would be as just for all Christian Princes to compose their own quarrels, and to aid the Venetian, and Hungarian, Persian, or Tartar, against the Turk, as it is ex-

* *Amphit. I. i. 58.*

pedient and honourable for them so to do. But what is thus allowed just in the waging of War between Princes, if in a wager of Law a private person should attempt the like, viz. to assist with his purse and pains a poor man against a rich, without considering the equity of the Cause, the act were, as in the former instance, palpably unjust and unchristian. Instances might be produced many more to the same effect, were it needful, but these I think sufficiently evidence the truth of what I undertook to show in this particular.

7. There are also sundry other circumstances considerable concerning the condition of the person, which may render the same undertaking unlawful to one, which yet may be lawful for another, or more or less expedient or inexpedient for one than for another, supposing both private persons and subjects. As, namely, whether he be a person of honour and estate, or a man of ordinary rank and fortune? whether a single man, or married? if married, whether he have the consent of his wife or no? * and whether such consent were a free and rational consent in the wife, arising from a judgment convinced of the fitness of the undertaking, or rather wrung from her by the importunity of the husband, and her facility in yielding to the potency of his desires therein? whether the necessity of his domestical affairs, and oeconomical relations will brook his absence for so long a time as must be spent in that Employment? or will not rather require his presence and care for the managery thereof in the mean time? And a hundred other like doubts and difficulties meet to be taken into deliberation, and unprejudicately weighed against those other probabilities and inducements which at first kindled, and after fomented his desires, before he embark himself in that Employment. And yet, when all is done, it were safer for him, in my opinion, to forbear than to proceed in his intentions, unless he shall be assured that he hath the free allowance of his Sovereign, thereunto either expressed, which would be the clearest warrant for his Conscience, or at leastwise upon very pregnant grounds of probability presumed.

* Compare De Juramenti Obligatione, Prael. iv. §. 6.

THE CASE OF THE VALIDITY OF
A MATRIMONIAL CONTRACT

IN VERBIS DE PRAESENTI.*

A. B. first did ask C. D. whether she would be contracted unto him. She answered, she would. This was done betwixt them two only ; no Clergyman or other person being present.

The Contract.

I, A. B., do here, in the presence of Almighty God, contract myself unto you, C. D., by giving unto you my right hand, and do hereby plight you my faith and troth ; and do further promise and vow never to marry any other but you, and will use all the speedy ways and means I can for the expediting thereof, according to God's ordinances in the holy state of Matrimony in the Church of England.

C. D. then taketh the hand of A. B. and saith,

I do here, in the presence of Almighty God, contract myself unto you, in the like manner as you have done to me, provided I have my Friends' consent. But, said she, I need not use those words, for that I know I have their approbation. My Mother told me, you had moved it unto my Father ; and both of them do like well of it.

Now, the Friends of C. D. not consenting, C. D. saith, she is at liberty to marry whom she pleaseth ; and since hath been upon treaty of Marriage with another, but did not proceed to effect, and is willing to give A. B. a release of all Promises, Vows, and Contracts to her made.

First, A. B. desires to be resolved, how far and in what nature this Contract binds him in the Case of Conscience.

* This Case is given, in addition to the Nine heretofore printed, from a Transcript of it preserved in F. D. 12. of the MSS. in the Library of

C. C. C. ; and also in P. 18. of those presented by Bp. Barlow to Queen's College.

Secondly, If C. D. gives A. B. a release, being that now Friends will not assent thereunto, though A. B. hath used all the means he can possibly to have their consent to marry her, whether he may be at liberty and free in Conscience, without offending God, to marry any other, whilst C. D. is unmarried or living.

Ad Primam. For resolution herein, it must be inquired to what, and how far forth, A. B., at the time when he made the Contract, did intend to bind himself. For it is a Rule, *Deus Juramentum sic accipit, sicut qui jurat intelligit.* No Contract bindeth any man in Conscience further than at the time of contracting he did intend, or by the rules of right Reason may be presumed to have intended, to bind himself.

Now, that A. B., at the time when he uttered these words wherein the form of the Contract is expressed, had no intention to enter any Obligation on his part, but with reference to the like Obligation to be immediately entered on the part of C. D. is very probable for these reasons.

1. Because it belongeth to the nature, as of Contracts in general, so of Matrimonial Contracts in special, that they be mutual, equally absolute or equally conditional, so as neither part can be said to be more or less free, neither more or less bound than the other.*

2. Because it had been against all Reason and Equity for C. D. to have required from A. B. such a Promise as whereby he should become bound and she left free; and an act of extreme weakness in him to have consented thereunto, although required by her, whom he loved, so to do.

3. Because, before the words of Contract were pronounced, the Question was first proposed by A. B. to C. D. whether she were willing to be contracted to him or not; which plainly signifieth thus much, that the Obligation on his part was no otherwise intended than he had reason, by her affirmative answer, to presume the like should forthwith have ensued on her part; for, if to that first Question she had answered, 'No,' undoubtedly he would not have proceeded to the Contract.

* In the Queen's College MS. 'so as neither part can be said to be more or less bound than the other.'

4. Because in the case of Marriage, which is certainly, if not stronger, yet at least every way as strong as that of a Contract, though made *per verba de praesenti*, the Man is not bound by the words of Marriage pronounced by him, if the Woman after refuse to pronounce the like form. As, if the Man shall solemnly say, according to the words of the Book, 'I, A. B., take thee, C. D., to my wedded Wife,' &c, and the Woman should finally refuse to say in like manner, 'I, C. D., take thee, A. B., to my wedded Husband,' the case is clear: the Man were no more bound in Conscience by saying these words than if he had said nothing. And that upon this very ground, that the Obligation ought to be mutual; and to common intendment, inasmuch as of necessity the one of the Contractors, for the avoiding confusion, must speak first, the Obligation of the party that begins is supposed not to arise till the other party that followeth hath spoken also. And if there be any material difference between the latter and the former Promise, (as in the case proposed, the former being absolute, and the latter conditional,) the measure of the whole Obligation arising from the Contract is to be taken from the weaker part. And so, in the present case, the Obligation is to be judged on the part of A. B. to be but conditional, how absolutely soever expressed, because it is no more than conditional on the part of C. D.

Ad Secundam. From which considerations, although it may truly be said that A. B. is not absolutely bound to do according to the express words of the Contract by him uttered in any respect, yet, in answer to the second Quaere also, I take it,

First, that A. B. is bound in Conscience to perform all that was promised on his part, if the condition put in by C. D. shall be at any time hereafter on her part performed.

That he is bound, secondly, to do his utmost endeavour, by his own diligence, the mediation of Friends, and the assistance of godly and discreet Ministers, to press it upon the Conscience of C. D. likewise, that she do her utmost endeavour for the procuring of her Friends' consent, that so, the condition being performed, the Contract may be, according to the first intention, ratified, and all scruples removed. The reason of both is,

because every man is bound to do what in him lieth to make good every his lawful Promise according to the true intent and meaning thereof *bona fide*; and it is unreasonable to think that any man should therefore be disobliged of his Promise because he taketh no care to perform it, and so reap advantage from his own neglect.

Thirdly, that A. B. is not in Conscience bound, by virtue of that Contract, to live unmarried all the days of his life, in case he cannot obtain the marriage of C. D., although these words, 'I vow never to marry any other but you,' may possibly seem to favour such a construction. The reason is, because the Vow of not marrying any other was made upon the supposal of her mutual resolution to marry him; and that supposal reasonably grounded upon her answering affirmatively to the first Question. For it is not to be imagined, the preceding circumstances considered, that A. B. did by those words intend to make an absolute Vow either of perpetual virginity, if C. D. would not marry him, or, if she would, perpetual widowhood after her decease.

Fourthly, that yet A. B. is in Conscience bound not to marry any other person so long as C. D. is living and unmarried. The reason is, because a conditional Obligation* remaineth in force so long as there is any possibility that the condition may be performed. Now so long as C. D. liveth and is unmarried, it is not impossible but that either the Parents' consent may be obtained, or they may die, and so she become *sui juris*. In either of which cases she may perform the condition of the Promise and establish the Contract.

But, fifthly, no release given by C. D. can be sufficient so to free A. B. from the bond of his Contract, so far as it is obligatory, as that the Conscience may rest securely thereupon. For howsoever in ordinary Contracts, or Promises made between party and party, wherein the benefit of the party to whom the Promise is made is solely concerned,† the Obligations of such Contracts or Promises may be by the consent of parties released, yea, although they should be confirmed

* In the Queen's College MS. 'because A. B.'s conditional Obligation.'

Promise is solely concerned.' The addition requisite for completing the sense is suggested in the margin of the C.C.C. Manuscript.

† Both the MSS. exhibit, 'the

by Oath, yet in Matrimonial Contracts such releases have no place; for a bond* of a Matrimonial Contract is before God of the same nature and effect that the bond of Matrimony itself is; and we know the bond of Matrimony cannot be dissolved by the consent of both parties, or by the release of one. The reason of the difference is, because the Obligation of Matrimony ariseth from the Ordinance of God as well as from the consent of parties. And therefore those whom God by His Ordinance hath joined together, neither themselves nor any other have power to separate.

Sixthly, that yet, so soon as C. D. shall be married to any other person, A. B. is *ipso facto* free from the Contract, and at liberty also to marry elsewhere. The reason is, because a conditional Obligation† ceaseth, when there is no more possibility left for the performance of the condition.

The result of all is this. A. B. is by the Contract bound not to marry so long as C. D. liveth unmarried; but if she either die, or be married to another, he is at liberty.

ROBERT SANDERSON.

* 'a bond.' So in both MSS. 'because A. B.'s conditional Obligation ceaseth,' &c. as above.
? 'the bond.'

† In the Queen's College MS.

OF USURY.*

SIR,

THE servant's hasty departure will not suffer me to write so fully to the Question you propose as I desire, and would be requisite to give just satisfaction in an argument so much controverted and of so nice a consideration. I confess the name of Usury is odious; and the contract itself, in the strict acception of it, in its own nature hardly to be justified. But if it be taken, as usually it is amongst us, so as to include the contracts which by the Casuists are expressly called Interest, I dare not define it to be *de toto genere* unlawful; but the distinction between Usury and Interest is sometimes so little, that the intention of the Lender and conjunction of circumstances, especially of persons and times, can only make the difference, and so must wholly regulate the judgment and conscience of the Parties concerned in it. Interest is therefore so called because *interest Mutuantis*, either in respect of *Lucrum cessans* or *Damnum emergens*, to have his money in his own hand or at his own command, that so he might expend or employ it, some way or other, for his own benefit, by buying Land, or Leasing, or trading in some other Commodity, or the like; of the opportunity whereof if he deprive himself by lending his money to a neighbour or stranger to serve his occasions, or do him a courtesy at his request or in his need, it is all the reason in the world that he should have some proportionable consideration for so doing, which is called Interest. And if the compensation be moderate, and within, or rather below, that which the Laws allow, and that the Lender *bona fide* intends as well to do the Borrower a real kindness as to provide for his own increase, I take it to be so far from being unlawful, that it is rather to be

* From P. 18. of the MSS. in the Library of Queen's College, beginning at p. 69. of a portion of the Volume inscribed by Bp. Barlow

with this Title: 'Opuscula quaedam ἀνέκδοτα Domini Doctoris Roberti Sanderson Lincolniensis Episcopi τοῦ μακαρίτου.'

commended as an act of Charity than condemned under the notion of Usury.

But Usury is when a man intendeth merely to live upon his money, and to contract precisely for the loan, and looketh at nothing but only to have so much coming in; which how far it may be justified I am yet to learn, unless it be in such persons as by reason of blindness, lameness, or other impotency, want of years, or the like, are no ways able to follow any employment; or in such times as persons otherwise able to manage their own, could not with freedom, safety, or conscience use such ways of purchasing, trading, &c, as were fit for them. Yet to avoid the name of Usury, which is *male coloratum* howsoever, and of ill sound, I should advise any man rather to lend out his monies to be repaid by Annuities, gainful enough for a charitable Lender, and much easier withal for the Borrower (as to pay £20 for six years, or £25 for five years, for every hundred) than to take Use, although it were but six or seven per Cent.; and the principal still remain entire; and this way is in truth no more really than purchasing an Annuity; which, if not violated with circumstances, no man hath yet, for aught I know, held to be unlawful. If it be said, that in effect it is all one with Usury, because the gain is the same at five or six years' end as that of Usury would be, though that be yielded, yet may the one be lawful, and the other not: both because the contract is of another kind, and the way of payment ordinarily more easy for the Borrower, and biteth not so insensibly in the mean time and so keenly in the close as the other doth. As also because the rate of Usury allowed by the Laws is the standard whereby men measure all other contracts, and account all bargains in purchasing, taking of farms, &c.,—better, or harder, as they come nearer or further from the rate. As for point of restitution in orphans or others, supposing Usury *de toto genere* unlawful, yet should not the Lender be therefore absolutely bound to restitution; for the obligation to restore ariseth not from the unlawfulness of the act done, but from the damage that the Borrower hath received therefrom: so that if A. hath made a contract with B., which contract was sinful in A. at the making, yet if *a primo ad ultimum* B. have received no loss or damage thereby, but rather a benefit, A. is not bound to restitution.

July the 2nd.

SIR,

FOR putting money to Use, the first branch of your Letter, I cannot but well approve, as well of your resolution not to practise it at all, as of the reasons whereupon you grounded that resolution, viz. the bordering so near the confines of unlawful, the danger of self-indulgence, and the famous rule of *pars tutior*. You mention a book of Dr. Fenton's which you have lately read :* the man I knew about forty years ago, Preacher at Gray's Inn, and of reverent esteem among them, as being a man of excellent and equal parts, not only learned and eloquent, but withal pious, judicious, moderate, and modest. The book I also read over long since at the first coming out, whilst I lived in Oxon, and was much satisfied with it, for the generality : yet in two things I was not fully satisfied : viz. why, in a Contract of mere Commutative Justice, (I mean where neither *necessitas*, nor *necessitudo personae* doth intervene to require otherwise ; for in such cases, according to the exigence of due circumstances, I am bound to lend freely) between two that are in regard of any nearer relation but as it were strangers, it should be lawful for the Borrower apparently to look at his own gain and advantage in borrowing, and yet be unlawful for the Lender to provide for his own moderate gain and advantage in lending. For I conceive that of those four sorts of Borrowers you afterwards mention, the last is not to be looked upon at all as a man fit to be contracted with ; nor ought a wise man to lend such a one either freely or with condition of gain, unless to redeem him from present ruin, and not without some good probability or hope of his reclaiming. The second and third sorts are for the most part to be relieved in their necessity, or served in their just occasions by free loan. But to the

* A Treatise on Usurie, divided into three Books, by Roger Fenton, B. D. 4^o. London, 1612. In a copy of this work in the Bodleian Library Thomas Hearne has written, 1733. Aug. 18, 'Quaere about this Roger Fenton? I think he was a Cambridge man.' He had been Fellow of Pembroke Hall : (Fuller's

Worthies, Lancashire, 116.) was Rector of St. Stephen's Walbrook, and Prebendary of St. Pancras, and died Jan. 16, 1615 : (Newcourt, Repertorium, i. 197). His Epitaph is given by Stow, Survey, p. 245. The name of Fenton occurs among those of K. James' Translators who were appointed to meet at Westminster.

first sort I either make question, whether it be fit for us to lend to such a one at all, or else make no question, but we may contract for gain somewhat proportionable if we do lend. Secondly, seeing in all societies and commonwealths there must be some common received standard for the guiding of mutual Contracts, (otherwise there should be no rule whereby to judge of bargains, whether they be easy, hard, or indifferent,) and that the standard in most societies and apparently with us is, as I wrote to you in my last, the rates tolerated by Law for the loan of money; I do not see how the Republic received any damage by Usurious Contracts, though to the utmost of that the Law tolerates. As to my best remembrance, being now many years since I read it, Dr. Fenton in that book endeavoureth to prove, wherein by the way you have discovered what my opinion is concerning the last of the scruples proposed in the latter part of your Letter: whence I conceive 'twill follow in the business of restitution the strictest Usurer that hath not outgone the Statute, if he shall find that the particular Borrowers have not been bitten or endamaged by him, need not be solicitous or scrupulous about restitution to be made, as in regard to any damage to the Public.

Now to the satisfying the other three scruples. As to the first, which kind of Borrowers may properly be said to have received damage by an Usurious Contract, so as in justice and conscience they ought to have restitution made? I take it that restitution is not to be made of necessity either to the first or the last of the four sorts of Borrowers by you mentioned, though they should have occasionally sustained loss or damage by the Contract. The reason is because the damage did not flow from the Contract, as the proper cause thereof, but only ensued thereupon by accident; and so ought not to be imputed to the Contract, but to the right cause, which in the one sort of Borrowers is manifestly their own profuseness or improvidence, who probably had been in no better condition had they had twice as much money lent them *gratis*. And in the other, many times their own greediness, or vanity in coveting to grasp more than their hands are able to contain, or desiring to be accounted great dealers in the world, &c. And sometimes some unexpected casualty which the Borrower could not foresee or prevent, as the decay of trade, falling into the hands of

pirates, purchasing where the title afterwards proveth litigious, &c: yet in this latter some mitigation or abatement is fit to be made, but is rather to be done in mercy as a voluntary act of Christian compassion, than to come properly within the compass of such restitution as a man is obliged unto in justice. But as for the second middle sorts of Borrowers, forasmuch as the lending to them (where their necessities or just occasions require it, and our present store and occasions may bear it) is an act of such charity and courtesy, that our own hearts could not but condemn us of some unmercifulness or unkindness to our neighbour if we should refuse to lend, there ought to be a very tender regard had of their sufferings; and if it shall appear that we have gained to their loss, that sovereign rule of Equity, *Quod tibi fieri non vis &c*, will infer the necessity of making some restitution.

For the other two scruples the answer will be short and easy, if another rule given by the Casuists be well considered, which in matters of Commutative Justice concerning *meum et tuum* is of excellent use to free the conscience from being perplexed with unnecessary scruples on the one side, as that maxim formerly mentioned of *pars tutior* is useful to preserve it from too much liberty and looseness on the other side; and that is this: *In rebus dubiis melior est conditio possidentis*. Where we are actually and legally possessed of any thing *bona fide*, of the unjust getting or holding whereof we are not clearly convinced in our consciences, nor have any particular sufficient cause to make us reasonably suspect any injustice therein, but only some general fears or apprehensions that possibly some of that whereby we are so possessed might not be lawfully gotten or held, in such cases, I take it, we are no further obliged to make particular inquiry into the original right by which we stand so possessed, than only to have a readiness of mind, when a just particular cause of doubt or suspicion shall arise thereabouts, to use all requisite moral diligence to examine the same impartially according to the rules of Justice and Equity, and according as upon examination we shall find it to be just or unjust, to do thereafter: so as upon the whole matter it seemeth to me agreeable to Reason and Christian Prudence that a man whose monies have been disposed of by his friends during his minority into several hands and upon

several Contracts, may receive the same together with the increase and benefit thereof, as it is delivered to him by his friends that were intrusted with the management of it, and also [?use] the same, without making any scruple of conscience about it, or making any strict inquiry into the nature of the particular Contracts, until either upon complaint, or by some other occasion, he shall find cause to fear, concerning any particular or particulars, that there hath been some injustice or hard dealing used therein; which if upon due inquiry he shall find to be so, then he is bound, in my opinion, to make such restitution or other satisfaction as the case, with due consideration of times, persons, and other circumstances, shall require.

But, Sir, to save further enlargement, and to let you understand what my present judgment is concerning the whole business of Lending, I shall deliver to you, in brief and with as much clearness as I can, what I would advise an honest, conscionable Christian that hath a stock in monies, and hath no conveniency in employing it otherwise than by lending it out, to do in this case.

First, since the name of Usury is reproachful, and the thing itself *male coloratum* at the best, if not *de toto genere* unlawful even in regard of the very nature of the Contract itself, (as the Romish Casuists generally and without exception of any one that I know of, and very many Protestant Divines affirm), I think it agreeable to Christian Prudence, if but for the avoiding of scandal (I mean both that of obloquy and that of evil example), to avoid all lending money upon a Contract formally Usurious, and rather to contract in some other form, as by annuities or the like; which though in the result and upon the matter of gain it may perhaps be the same in conclusion with that of Usury, yet, for want of the same formality, it is not under the same scandal. But because it is not true Christian Prudence which hath not joined with it true Christian Simplicity, we are to consider what is fit to be done in this case for the avoiding of sin, as well as what is not to be done for the avoiding of scandal. Thus then, when a man hath devoted such a proportion out of his yearly revenue as God shall have enlarged his heart unto, for uses merely charitable (I mean freely to be given away without looking for anything again), out of the stock of monies which he hath to employ over and above, he

may do well to set apart a third, fourth, or fifth part of that (more or less as he shall see cause) to be lent *gratis*, either for the relief of the necessities of some that are enforced to borrow, taking security of them for the repayment thereof, at such times or by such portions as they may be able to do it, or for the gratifying of a friend, neighbour, or kinsman, by serving his occasions and conveniences, who perhaps may do him some other courtesy or office at some other time, or in some other kind if he shall have occasion to use him; and of the remainder, I know not any ground, either from Scripture or Reason, why he may not make reasonable gain of it by loan, as well as another man may make a certain gain of the like sum by some other way of employment. The Caveats generally necessary, and to which all other may be reduced, are but two: the one that the gain be but moderate; and the *κρίτηρια* of that moderation are especially: First, the proportion tolerated by Law, that the Lender be sure to keep a good way within the compass thereof: as, if the Law tolerate eight per Cent., that the gain aimed at in the Contract be not above the rate of five, six, or seven per Cent. Secondly, the certainty or hazard of the gain; for by how much the gain, by nature of the Contract, is brought to more certainty, by so much ought it in all reason to be the less; and may be allowed the more, in possibility by how much it is left more hazardous and uncertain, as upon the lives of men, or the return of ships, and the like. Thirdly, the proportion of the gain which the Borrower shall evidently or probably make by the benefit of the monies lent. The other Caveat is, that the Lender look at the benefit and conveniency of the Borrower, so far as it can reasonably appear to him, or as it is meet for him to inquire into his occasions, as well as at his own gain; for Christian Charity and Justice doth not allow any man to seek his own gain by another's loss. In which respect, that course which is before mentioned, of paying in the sum lent, and the gain that is to arise thence by yearly annuities, supposing by exact computation it should bring in the very same gain at the end of the term contracted for that a Contract directly usurious would do, and so might seem to be all one upon the point* with a Usurious Contract, and to be but palliated Usury,

* See Sermon vii. ad Aulam, §. 3.

yet it is, in very deed, far different from it, and much rather to be practised than it: not only in respect of the Lender, who is thereby, as was said, less obnoxious to the reproach of being counted an Usurer; but also and especially in respect of the Borrower, to whom that manner of payment is much more easy ordinarily than the other; for, to speak truth, unless it be some man who hath great trade and return of commodities, or meeteth with some extraordinary good bargain, he that payeth Use for money yearly, and the Principal still remaineth behind unpaid, will find that within a few years it will bite deep into his estate, and make a deep breach in it when the Principal cometh to be paid in. As if a husbandman or yeoman, that hath perhaps a farm or land of his own worth £60 or £80 yearly, have need, for the management of his farm or stocking of his grounds, to take up a hundred pounds, if he shall pay eight pounds or but six pounds Use for the same, it will be a long while before he will be able, paying that Use and maintaining his family, to get an hundred pounds together to redeem himself from the Usurer's jaws: whereas, if he should pay for his hundred pounds out of his estate to the Lender twenty pounds for six years, which I think a very reasonable and indifferent proportion, gainful enough to the Lender, and not prejudicial to the Borrower,—nay, say it should be for seven years, which by computation cometh to more, *a primo ad ultimum*, than the rate of eight per cent., yea, for eight years, which doth very much exceed the rate, and were a very unreasonable and unconscionable exaction,—yet forasmuch as an ordinary good husband may probably out of such a farm provide twenty pounds a year towards the paying of the debt, and that by the end of those years the Principal together with the Interest would be all paid in, I hold ordinarily far more easy and advantageous to the Borrower, than to pay yearly Use, though at an under rate, and the Principal still remains entire. Therefore the best way both for the Borrower and the Lender is, to lend upon such easy annuities for six, ten, twelve, or more years, as the Borrower may be in all probability, by God's ordinary blessing upon him and a frugal life, likely within the compass of so many years to pay the covenanted sum without any great burden to him, and with competent gain to the Lender. Whoso taketh

this course, and considereth the conveniency of the Borrower, together with his own gain, having an equal respect, so far as human frailty will suffer, to both, with simplicity and sincerity of heart, I doubt not but he may do it with much benefit to human society, and with comfort to his own soul, and shall have many a prayer and blessing from those that have been occasioned to borrow of him : whereas the rigid Usurer commonly receives little other fruit, besides the increase of his money, than the curses of those that are bitten by him.

As for lending to great merchants, or purchasing, (such, I mean, as to whom we have no other relation nor inducement to move us to lend, but either our own gain or their importunity), I take less consideration of that, because I consider that we are not bound to do them any courtesy, but only to look to ourselves, that we do them no wrong, and that out of greediness of gain (which may perhaps be had in a more plentiful measure from them than others) we do not choose to lend our monies to them rather than to those whom in charity or nearness to us we are more obliged to pleasure them withal ; for which reason, if at any time we chance to contract with such men, we should advise with ourselves what proportion of gain is set to be contracted for, with indifferency to both parties, and then, providing for our own security that which is agreed upon by Contract may be performed, leave them to look to their own conveniencies themselves. But if we lend to a young tradesman, that is frugal and hopeful, towards his setting up, or the like, there the case is different ; and it is then of much like condition with those Contracts wherein we lend to those, upon whom it is meet we should exercise our charity or offices of kindness.

The sum is, that where our Lending is an act merely of Civil Contract or Commutative Justice, the business we have to do is, as in a market, to see that we do the party we deal with no wrong, and that the gain we look at be moderate ; but if our Lending be an act not merely of justice, but with some mixture and ingredieny, either of charity in regard of necessity, or pressing occasions of the party, or of kindness in regard of some nearer relation of the party to us, of friendship, kindred, neighbourhood, former courtesies, &c, we are in such cases

obliged to greater tenderness, more or less, according to the exigence of those necessities or relations from whence the obligation ariseth, viz. to be content with the less gain, and to consider the conveniency of the party with whom we so contract, for the time and manner of repayment. To which if there be joined a resolution also (as there should be, if I rightly understand the words, S. Luke vi. 30, 35, 36.) to remit the whole *foenus*, yea, and part of the Principal too, if it be our own, and if we see cause for it, I dare say that either such a kind of Lending is not Usury, or else pronounce that all Usury is not unlawful.*

* Sanderson's language in regard to Usury varies very much. It is spoken of, incidentally, as doubtful, in Sermon iv. ad Clerum, §. 27, preached in 1634; and in the sixth Lecture de Conscientia, §. 21, i. e. in 1647, he declines to pronounce on its lawfulness or unlawfulness.

In Sermon vi. ad Aulam, §. 15, preached in 1637, Usury occurs in an enumeration of gross enormities. Sermon iv. ad Populum, §. 30, exhibits a remarkable change in his views between 1628, when that Sermon was first published, and 1657, when the fourth Edition appeared.

E P I S C O P A C Y

(As established by Law in England)

NOT PREJUDICIAL TO REGAL POWER.

A TREATISE

WRITTEN IN THE TIME OF THE LONG PARLIAMENT, BY THE SPECIAL
COMMAND OF THE LATE KING,

And now published by the Right Reverend Father in God,

ROBERT SANDERSON,

LORD BISHOP OF LINCOLN.

LONDON,

PRINTED BY R. NORTON, FOR TIMOTHY GARTHWAIT, IN
ST. PAUL'S CHURCHYARD.

1661.

*To the Most High and Mighty King Charles the Second,
by the Grace of God, King of Great Britain, France,
and Ireland, Defender of the Faith, &c.*

Most Gracious and Dread Sovereign,

THAT I take the boldness humbly to present this short Discourse to Your Majesty's sacred hand and piercing eye, it is upon this one and only account, that, how mean soever the performance be, the undertaking was in obedience to the command of a most gracious Master, your Majesty's Royal Father of Blessed Memory. The occasion this. When the Army had gotten the King into their own custody out of the hands of those that had long* holden him in durance at Holdenby, to put a blind upon the world, they made a show of much good towards him, which, as soon after appeared, they never meant him. Amongst other the pompous civilities, wherewith, the better to cloak their hypocrisy, they entertained him, it was their pleasure to vouchsafe him the attendance of some of his own Chaplains: which, though it could merit little, for such a kindness could not with justice have been denied to a far meaner person, was yet a boon his former Gaolers thought too big for him. In that Summer Progress, such as it was, four of his own naming,† with the Clerk of his Closet, were suffered to wait upon him. In which time of waiting, which was in August 1647, His Majesty, being then at Hampton-Court,‡ one day called me to him, and told me he had a little work for me to do. Some about him, it seems, had been often discoursing with him about Episcopacy, as it was claimed and exercised by the Bishops within this Realm. Which, whether out of their goodwill to him, or their no goodwill to the

* From the end of January to the third of June 1647. See Clarendon, book x. par. 69 and 92.

† These were Sheldon, Morley, Sanderson, and Hammond. See

Clarendon, book x. par. 93. Juxon was sworn Clerk of the Closet in 1632.

‡ See the Note on the opening of Sermon xiv. ad Aulam.

Church, I am not able to say, they had endeavoured to represent unto him, as not a little derogatory to the Regal Authority, as well in the point of Supremacy as of Prerogative: in the one, by claiming the Function as of Divine Right: in the other, by exercising the Jurisdiction in their own Names. His Majesty said further, that he did not believe the Church-Government by Bishops, as it was by Law established in this Realm, to be in either of the aforesaid respects, or any other way prejudicial to his Crown; and that he was in his own judgment fully satisfied concerning the same: yet signified his pleasure withal, that, for the satisfaction of others I should take these two Objections into consideration, and give him an Answer thereunto in writing. In obedience to which His Majesty's Royal Pleasure, after my return home, I forthwith, according to my bounden duty, addressed myself to the work; and was drawing up an Answer to both the Objections, as well as I was able, with a purpose to present the same, as soon as it should be finished, to His Majesty in writing, upon the first offered opportunity. But behold, before I could bring the business *ad umbilicum*, and quite finish what was under my hand, the scene of affairs was strangely changed. The King trepanned into the Isle of Wight; the mask of hypocrisy, by long wearing, now grown so thin and useless that it was fit for nothing but to be thrown by; no kind of impiety and villany, but durst appear barefaced and in the open sun; high insolencies to the contempt of Authority every where committed; Majesty itself trampled upon by the vilest of the People; and the hearts of all loyal, honest men sadly oppressed with griefs and fears. Yet had the men who steered the Public as they listed, that they might give themselves the more recreation, amuse the world anew, and grace the black Tragedy they were acting with the more variety, a mind to play one game more the next year, viz. the Treaty at the aforesaid Isle of Wight. Where as soon as I understood that, by His Majesty's nomination, I was to give my attendance,* I looked out the old Papers which I had laid aside a good while before, made up what was then left unfinished, and took the Copy with me to the Isle, thinking that when the Treaty should be ended, (for

* Sermons xvi and xvii ad Aulam, it will be remembered, were preached during this attendance.

whilst it lasted, his Majesty was taken up with other thoughts and debates of higher concern,) I might possibly have the opportunity to give his Majesty an account thereof. What became of that Treaty, and what after ensued, is so well known to the world, that there is no need, and withal so sad, that it can be no pleasure to remember. But thenceforward were those Papers laid aside once again, and destined to perpetual silence, had not a debate lately started, concerning one of the principal points therein handled, occasioned some persons of eminent place and esteem in the Church, and one of them conscious to the aforesaid command laid upon me by the late King, to desire a sight of those Papers. Which being by their encouragement now made public, though having little other to commend them, either to the world, but Truth and Plainness, or to your Majesty, but that they had their first rise from his command whose Throne and Virtues you inherit, I humbly beseech your Majesty graciously to accept, together with the Prayers of

Your Majesty's most Loyal Subject

and Devoted Servant,

ROBERT LINCOLN.

London,
August 10, 1661.

BY THE KING.

A Proclamation,* declaring that the Proceedings of His Majesty's Ecclesiastical Courts and Ministers are according to the Laws of the Realm.

WHEREAS in some of the libellous Books and Pamphlets lately published, the most reverend Fathers in God, the Lords Archbishops and Bishops of this Realm, are said to have usurped upon his Majesty's Prerogative Royal, and to have proceeded, in the High Commission and other Ecclesiastical Courts, contrary to the Laws and Statutes of this Realm; It was ordered by his Majesty's High Court of Star Chamber, the twelfth day of June last, that the opinion of the two Lords Chief Justices, the Lord Chief Baron, and the rest of the Judges and Barons, should be had and certified in those particulars: viz. Whether Processes may not issue out of the Ecclesiastical Courts in the name of the Bishops. Whether a Patent under the great Seal be necessary for the keeping of the Ecclesiastical Courts, and enabling Citations and Suspensions, Excommunications and other Censures of the Church. And whether Citations ought to be in the King's name, and under his Seal of Arms; and the like for Institutions and Inductions to Benefices, and correction of Ecclesiastical offences. Whether Bishops, Archdeacons, and other Ecclesiastical persons may or ought to keep any Visitation at any time, unless they have express Commission or Patent under the great Seal of England to do it; and that as his Majesty's Visitors only, and in his name and right alone.

Whereupon his Majesty's said Judges, having taken the same into their serious consideration, did unanimously con-

* A Summary of this Proclamation and of the Judges' Certificate which follows may be seen in Rushworth, ii. 450, 451. Sanderson, at the end of the Postscript, says that

he was not aware of the existence of either document till the time at which the Work was sent to the press, viz. early in August, 1661.

cur and agree in opinion, and the first day of July last certified under their hands as followeth : That Processes may issue out of the Ecclesiastical Courts in the name of the Bishops ; and that a Patent under the great Seal is not necessary for the keeping of the said Ecclesiastical Courts, or for enabling of Citations, Suspensions, Excommunications, and other Censures of the Church ; and that it is not necessary that Summonses, Citations, or other Processes Ecclesiastical in the said Courts, or Institutions, or Inductions to Benefices, or correction of Ecclesiastical offences by Censure in those Courts, be in the King's name, or with the style of the King, or under the King's Seal, or that their Seals of Office have in them the King's Arms ; and that the Statute of Primo Edvardi Sexti, cap. secundo, which enacted the contrary, is not now in force ; and that the Bishops, Archdeacons, and other Ecclesiastical persons, may keep their Visitations as usually they have done, without Commission under the great Seal of England so to do. Which opinions and resolutions being declared under the hands of all his Majesty's said Judges, and so certified into his Court of Star Chamber, were there recorded ; and it was by that Court further ordered, the fourth day of the said month of July, that the said Certificate should be enrolled in all other his Majesty's Courts at Westminster, and in the High Commission, and other Ecclesiastical Courts, for the satisfaction of all men that the proceedings in the High Commission and other Ecclesiastical Courts are agreeable to the Laws and Statutes of the Realm.*

And his Royal Majesty hath thought fit, with advice of his Council, that a public Declaration of these the opinions and resolutions of his reverend and learned Judges, being agreeable to the judgment and resolutions of former times, should be made known to all his Subjects, as well to vindicate the legal proceedings of his Ecclesiastical Courts and Ministers from the unjust and scandalous imputation of invading or entrenching on his Royal Prerogative, as to settle the minds and stop the mouths of all unquiet spirits, that for the future they presume not to censure his Ecclesiastical

* See Heylin's Life of Laud, p. 341.

Courts or Ministers in these their just and warranted proceedings. And hereof his Majesty admonisheth all his Subjects to take warning, as they shall answer the contrary at their perils.

Given at the Court at Lyndhurst, the 18th day of August, in the thirteenth year of His Majesty's Reign.

GOD SAVE THE KING.

Imprinted at London by Robert Barker, Printer to the King's most Excellent Majesty, and by the Assigns of John Bill, 1637.

PRIMO JULII 1637.

The Judges' Certificate concerning Ecclesiastical
Jurisdiction.

May it please your Lordships,

ACCORDING to your Lordships' Order made in his Majesty's Court of Star Chamber the twelfth of May last, we have taken consideration of the particulars, wherein our opinions are required by the said Order; and we have all agreed,

That Processes may issue out of the Ecclesiastical Courts in the name of Bishops, and that a Patent under the Great Seal is not necessary for the keeping of the said Ecclesiastical Courts, or for the enabling of Citations, Suspensions, Excommunications, or other Censures of the Church. And that it is not necessary that Summonses, Citations, or other Processes Ecclesiastical in the said Courts, or Institutions, or Inductions to Benefices, or correction of Ecclesiastical offences by Censure in those Courts, be in the King's name, or with the style of the King, or under the King's Seal, or that their Seals of Office have in them the King's Arms. And that the Statute of Primo Edvardi Sexti, cap. 2, which enacted the contrary, is not now in force.

We are also of opinion, that the Bishops, Archdeacons, and other Ecclesiastical persons may keep their Visitations as usually they have done, without Commission under the Great Seal of England so to do.

JO. BRAMSTONE.

JO. FINCH.

HUMFREY DAVENPORT.

WILL. JONES.

JO. DINHAM.

RICHARD HUTTON.

GEORGE CROKE.

THO. TREVOR.

GEORGE VERNON.

RO. BERKLEY.

FR. CRAWLEY.

RIC. WESTON.

Enrolled in the Courts of Exchequer, King's Bench, Common Pleas, and registered in the Courts of High Commission and Star Chamber.

EPISCOPACY

NOT PREJUDICIAL TO REGAL POWER.

SECTION I.

The two great Objections proposed.

HE that shall take the pains to inform himself rightly, what power the Kings of England have from time to time claimed and exercised in Causes and over Persons Ecclesiastical; as also by whom, how, and how far forth their said Power hath been from time to time either opposed, or maintained, shall undoubtedly find that no persons in the world have more freely acknowledged, and both by their writings and actions more zealously, judiciously, and effectually asserted the Sovereign Ecclesiastical power of Kings, than the Protestant Bishops and Divines, whom our new Masters* have been pleased of late to call the Prelatical party, in the Church of England have done. Yet so far hath prejudice, or something else, prevailed with some persons of quality, in these times of so much looseness and distraction, as to suffer themselves to be led into a belief, or at least-wise to be willing the people should be deceived into the belief, of these two things. First, that the Opinion which maintaineth the *Jus Divinum* of Episcopacy is destructive of the Regal power. And, secondly, that Episcopal Jurisdiction, as it was exercised before and at the beginning of this present Parliament, was derogatory from the Honour of the King, and prejudicial to the just Rights and Prerogatives of his Crown.

II. Truly, they that know any thing of the practices and proceedings of the Anti-prelatical party, cannot be ignorant,

* 'Masters.' Compare De Conscientia, Prælat. v. §. 34. 'Ministrelli illi, Magistellos rectius dixerim, ita Magisterialiter omnia pronunciantes.'

that their aims, (these or whatsoever other pretensions notwithstanding,) are clearly to enlarge their own power, by lessening the King's, and to raise their own estates upon the ruins of the Bishops'. And therefore howsoever the aforesaid pretensions may seem at the first appearance to proceed from a sense of loyalty, and a tenderness of suffering any thing to be continued in the Kingdom which might tend to the least diminution of His Majesty's just power and greatness, yet, till their actions look otherwise than for some time past they have done, the pretenders must give us leave to think that their meaning therein is rather to do the Bishops hurt, than to do the King service; and that their affections, so far as by what is visible we are able to judge thereof, are much what* alike the same towards them both. But, to leave their hearts to the judgment of Him to whom they must stand or fall, for the just defence of Truth; and that, so far as we can help it, the people be not abused in this particular also, as in sundry others they have been, by such men as are content to use the King's Name when it may help on their own designs; I shall first set forth the two main Objections severally to the best advantage of the Objectors, and then endeavour, by a clear and satisfactory answer, to discover the weakness and vanity of them both.

III. The former Objection. Whereas in the Oath of Supremacy the supreme Power Ecclesiastical is acknowledged to be in the King alone, and by the Statute of 1 Elizabeth† all Jurisdictions and Preeminences Spiritual and Ecclesiastical within the Realm of England are restored to the Crown, as the ancient right thereof, and for ever united and annexed thereunto, the Bishops' claiming their Power and Jurisdiction to belong unto them as of Divine Right seemeth to be a manifest violation of the said Oath and Statute, and a real diminution of the Regal Power in and by the said Oath and Statute acknowledged and confirmed. For whatsoever Power is of Divine Right, is immediately derived from God, and dependeth not upon any earthly King or Potentate whatsoever as supe-

* 'much what.' See Sermon xiii. ad Aulam, §. 4.

† 1 Eliz. Chap. i. An Act to restore to the Crown the ancient Ju-

risdiction over the Estate Ecclesiastical and Spiritual, and abolishing all Foreign Powers repugnant to the same.

rior thereunto. These two terms, to be *from Heaven*, and to be *of Men*, being used in the Scriptures as terms opposite and inconsistent, and such as cannot be both truly affirmed of the same thing.

IV. The latter Objection. Setting aside the dispute of *Jus Divinum*, and whatsoever might be said either for or against the same, the very exercising of Episcopal Jurisdiction in such a manner as it was with us, the Bishops issuing out their summonses, giving Censures, and acting every other thing in the Ecclesiastical Courts, in their own and not in the King's Name,* seemeth to derogate very much from the Regal Power in the point of Ecclesiastical Sovereignty. For whereas the Judges in the King's Bench, Common Pleas, and other Common Law Courts do issue out their Writs, and make all their Judgments, Orders, Decrees, &c. in the King's Name; thereby acknowledging both their Power to be depending upon, and derived from the King's Authority, and themselves in the exercise of that Power to be but his Ministers sent and authorized by him; and so give him the just honour of his Supremacy Temporal: the Bishops on the other side exercise a Spiritual Power or Jurisdiction in their own Names,† and as it were by their own Authority, without any the least acknowledgment of the efflux or emanation of that Power or Jurisdiction from the King. Which custom as it had undoubtedly its first rise and aftergrowth from the exorbitant greatness of the Bishops of Rome, who have usurped an unjust authority as well over Kings and Princes, as over their Fellow-Bishops, laboured all they could to lessen the authority of Kings, especially in matters Ecclesiastical, so is the continuance thereof no otherwise to be esteemed than as a rag or relique of that Anti-Christian Tyranny, which was retained, as some other things also of evil consequence were, in those imperfect beginnings of Reformation, when the Pope's power was first abrogated under King Henry the VIII. But it was afterwards in a more mature and perfect Reformation taken into consideration in the reign of

* This Objection was one of those urged by H. Burton in his Sermon preached Nov. 5, 1636, p. 69. See Heylin's Life of Laud, p. 329.

† This was made ground of ob-

jection in the Long Parliament. See Sir Ralph Verney's Notes of the Proceedings published by the Camden Society, p. 12.

King Edward the VI, and remedy provided thereagainst by an Act of Parliament made in the first year of his Reign. Wherein it was enacted, That all Summonses, Citations, and other Processes Ecclesiastical, should be made in the King's Name, and with the style of the King, as it is in Writs Original and Judicial at the Common Laws; and that the Test thereof only should be in the name of the Bishop.

V. It is true indeed, that this Statute of King Edward was within a few years after repealed, and so the old usage and form again restored *primo Mariæ*, and hath ever since so continued during the Reigns of the said Queen, of Queen Elizabeth, of King James, and of His Majesty that now is, until this present Parliament, without any alteration or interruption. But the repealing of the Statute of 1 Edw. VI, and the reception of the former usage ensuing thereupon, ought not to be alleged by the Bishops, or to sway with any Protestant, inasmuch as that repeal was made by Queen Mary, who was a professed Papist, and who, together with that form of proceeding in the Ecclesiastical Courts, restored also the whole Popish Religion, whereof that was a branch. Neither ought the uninterrupted continuance of the said form under Queen Elizabeth and the succeeding Kings, (whether it happened through inadvertency in the State, or through the incessant artifices and practices of the more active Bishops, some or other whereof had always a prevalent power with those Princes in their several Reigns), to hinder, but that, as the said manner of proceeding was in the said first year of Edward VI. by the King and the three Estates in Parliament adjudged to favour the usurped power of the Bishops of Rome, and to trench upon the King's just and acknowledged authority in matters Ecclesiastical, as by the Preamble of the said Act* doth sufficiently appear, so it ought to be still no otherwise esteemed than as a branch of the Papal Usurpation, highly derogatory to the honour of the King, and the rights of his Crown. This is, as I conceive, the sum of all that hath been, and the utmost of what, I suppose, can be said in this matter.

* 'of the said Act.' In Editions subsequent to the First, 'in the said Act.'

SECTION II.

In answer to the former Objection.

I. Whereunto I make answer as followeth. To the former Objection I say, first, that it is evidently of no force at all against those Divines, who for the maintenance of Episcopacy lay their claim under another notion, and not under that of *Jus Divinum*; which expression, for that it is, by reason of the ambiguity thereof, subject to be mistaken, and that captious men are so willing to mistake it for their own advantage, might peradventure, without loss of Truth or prejudice to the cause, be with as much prudence laid aside, as used, as in this, so in sundry other disputes and controversies of these times.

II. If it shall be replied, that then belike the Proctors for Episcopacy* are not yet well agreed among themselves by what title they hold; and that is a shrewd prejudice against them, that they have no good title. For it is ever supposed he that hath a good title, knoweth what it is; and we are to presume the power to be usurped, when he that useth it, cannot well tell how he came by it. I say therefore, secondly, that the difference between the advocates for Episcopacy, is rather in the different manner of expressing the same thing, than in their different judgment upon the substance of the matter. The one sort making choice of an expression which he knoweth he is able to make good against all gainsayers, if they will but understand him aright: the other out of wariness or condescension forbearing an expression, no necessity requiring the use of it, which he seeth to have been subject to so much misconstruction.

III. For the truth is, all this ado about *Jus Divinum* is in the last result no more than a mere verbal nicety: that term being not always taken in one and the same latitude of signification. Sometimes it importeth a Divine Precept, which is indeed the primary and most proper signification: when it appeareth by some clear, express, and peremptory command of God in His Word, to be the Will of God that the thing so commanded should be perpetually and universally observed.

* 'for Episcopacy.' In Editions subsequent to the First, 'of Episcopacy.'

Of which sort, setting aside the Articles of the Creed and the Moral Duties of the Law, which are not much pertinent to the present Inquiry, there are, as I take it, very few things that can be said to be of Divine positive Right under the New Testament.* The Preaching of the Gospel, and Administration of the Sacraments, are two : which when I have named, I think I have named all.

IV. But there is a secondary and more extended signification of that term, which is also of frequent use among Divines. In which sense, such things as having no express Command in the Word, yet are found to have authority and warrant from the institution, example, and approbation either of Christ Himself or His Apostles, and have, in regard of the importance and usefulness of the things themselves, been held, by the consentient judgment of all the Churches of Christ in the primitive and succeeding ages, needful to be continued : such things I say are, though not so properly as the former, yet usually and *interpretative* said to be of Divine Right. Of which sort I take the observation of the Lord's Day, the ordering the Keys, the distinction of Presbyters and Deacons, and some other things, not all perhaps of equal consequence, to be. Unto *Jus Divinum*, in that former acception, is required a Divine Precept : in this latter, it sufficeth thereunto that a thing be of Apostolical institution or practice. Which ambiguity is the more to be heeded, for that the observation thereof is of great use for the avoiding of sundry mistakes, that through the ignorance or neglect thereof daily happen to the engaging of men in endless disputes, and entangling their Consciences in unnecessary scruples.

V. Now, that the government of the Churches of Christ by Bishops is of Divine Right in that first and stricter sense, is an Opinion at least of great Probability, and such as may more easily, and upon better grounds be defended than confuted : especially if in expounding those Texts that are alleged for it, we give such deference to the authority of the ancient Fathers, and their expositions thereof, as wise and sober men have always thought it fit we should do. Yet because it is both inexpedient to maintain a dispute where it needs not, and

* Compare the Case of the Sabbath, above, p. 12.

needless to contend for more, where less will serve the turn, I find that our Divines that have travailed most in this argument, where they purposely treat of it, do rather choose to stand to the tenure of Episcopacy *ex Apostolica Designatione*, than to hold a contest upon the Title of *Jus Divinum*, no necessity requiring the same to be done. They therefore that so speak of this government as established by Divine Right, are not all of them necessarily so to be understood as if they meant it in that first and stricter sense. Sufficient it is for the justification of the Church of England in the constitution and government thereof, that it is, as certainly it is, of Divine Right in the latter and larger signification: that is to say, of Apostolical institution and approbation; exercised by the Apostles themselves, and by other persons in their times, appointed and enabled thereunto by them, according to the Will of our Lord Jesus Christ, and by virtue of the commission they had received from Him.

VI. Which besides that it is clear from evident Texts of Scripture, and from the testimony of as ancient and authentic Records as the world hath any to show for the attesting of any other part of Ecclesiastical Story, it is also, in truth, a part of the established Doctrine of the Church of England, evidently deduced out of sundry passages in the Book of Consecration, which Book is approved in the Articles of Religion, Article xxxvi, confirmed by Act of Parliament, and subscribed unto by all persons that have heretofore taken Orders in the Church, or Degrees in the University; and hath been constantly and uniformly maintained by our best Writers, and by all the sober, orderly, and orthodox sons of this Church. The Point hath been so abundantly proved by sundry Learned Men, and cleared from the exceptions of Novelists, that more need not be said for the satisfaction of any intelligent man, that will but first take the pains to read the books, and then suffer himself to be master of his own reason.

VII. Only I could wish that they who plead so eagerly for the *Jus Divinum* of the Lord's Day, and yet reject, not without some scorn, the *Jus Divinum* of Episcopacy, would ask their own hearts, dealing impartially therein, whether it be any apparent difference in the nature of the things themselves, or in the strength of those reasons that have been brought for

either, that leadeth them to have such different judgments thereof; or rather some prejudicate conceit of their own; which having formerly fancied to themselves even as they stood affected to parties, the same affections still abiding, they cannot easily lay aside. Which partiality, for I am loath to call it perverseness, of spirit, is by so much the more inexcusable in this particular, by how much Episcopal government seemeth to be grounded upon Scripture Texts of greater pregnancy and clearness, and attested by a fuller consent of Antiquity to have been uniformly and universally observed throughout the whole Christian world, than the Lord's Day hath hitherto been shown to be.

VIII. But should it be granted, that all the Defenders of Episcopacy did indeed hold it to be *Jure Divino* in the strictest and most proper sense, yet could not the Objectors thence reasonably conclude, that it should be *eo nomine* inconsistent with Regal Power, or so much as derogatory in the least degree to that Supreme Power Ecclesiastical, which by the Laws of our Land is established, and by the Doctrine of our Church acknowledged to be inherent in the Crown.* As themselves may easily see, if they will but consider,——

IX. First, that Regal and Episcopal Power are two Powers of quite different kinds, and such as, considered purely in those things that are proper and essential to either, have no mutual relation unto, or dependence upon the one the other;† neither hath either of them any thing to do with the other. The one of them being purely spiritual and internal, the other external and temporal, albeit in regard of the persons that are to exercise them, or some accidental circumstances appertaining to the exercise thereof, it may happen the one to be someways helpful or prejudicial to the other, yet is there no necessity at all that the very Powers themselves in respect of‡ their own natures should be, at that distance,§ either of them so destructive of other,|| but that they might consist well

* 'in the Crown.' In Editions subsequent to the First, 'in the Church.'

† 'the one the other.' In Editions subsequent to the First, 'each other.'

‡ 'in respect of.' In Editions

subsequent to the First, 'in respect that.'

§ 'at that distance.' In Editions subsequent to the First, 'at a distance.'

|| 'of other.' In Editions subsequent to the First, 'to other.'

enough together. Yea, although either of them, or both should claim, as indeed they both may do, to be of Divine Right independently upon the other. Let any man come up to the point, and show if he can, how and wherein the Episcopal Power is any thing at all diminished by affirming the Regal to be of Divine Right? or how and wherein the Regal Power is at all prejudiced, by affirming the Episcopal to be of Divine Right? The opposition between these two terms, to be *from Heaven*, and to be *of Men*, which was objected, cometh not home enough: unless we should affirm them both of one and the same Power in the same respect. Which since we do not, that opposition hindereth not but that the same Power may be said to be of both in divers respects: viz. to be *from Heaven*, or *of God*, in respect of the substance of the thing in the general; and yet to be *of men* in respect of the determination of sundry particularities requisite unto the lawful and laudable exercise thereof.

X. Secondly, that the derivation of any Power from God doth not necessarily infer the non-subjection of the persons in whom that Power resideth to all other men. For, doubtless, the power that fathers have over their children, husbands over their wives, masters over their servants, is from Heaven, of God, and not of men. Yet are parents, husbands, masters, in the exercise of their several respective Powers, subject to the Power, Jurisdiction, and Laws of their lawful Sovereigns. And I suppose it would be a very hard matter for any man to find out a clear and satisfactory reason of difference between the Ecclesiastical Power and the Oeconomical: why the one, because it claimeth to be of Divine Right, should be therefore thought to be injurious to Regal Power; and the other, though claiming in the same manner, not to be injurious.

XI. Thirdly, the Ministerial Power in that which is common to Bishops with their Fellow-Presbyters, viz. the Preaching of the Word and the Administration of the Sacraments, &c. is confessed to be from Heaven and of God, and yet no prejudice at all conceived to be done thereby to the Regal Power, because the Ministers who exercise that Power are the King's Subjects, and are also in the executing of those very acts that are proper to their Ministerial Functions to be limited and

ordered by the King's* Ecclesiastical Laws. A man might therefore justly wonder (but that it is no new thing to find in [Deut. xxv. 13.] the bag of such merchants as we have now to deal with, *pondus et pondus*) how it should come to pass that the Episcopal Power, in that which is peculiar to Bishops above other their brethren in the Ministry, viz. the Ordaining of Priests and Deacons, and the managing of the Keys, cannot be said to be of God, but it must be forthwith condemned to be highly derogatory to the Regal Power, notwithstanding the Bishops acknowledge themselves as freely as any others whosoever to be the King's Subjects, and submit themselves, with as much willingness, I dare say, and some Presbyterians know I speak but the truth, as the meanest of their fellow Ministers do, to be limited in exercising the proper acts of their Episcopal Functions by such Laws as have been by Regal Power established in this Realm. The King doth no more challenge to himself, as belonging to him by virtue of his Supremacy Ecclesiastical, the Power of Ordaining Ministers, excommunicating scandalous offenders, or doing any other act of Episcopal Office in his own person, than he doth the Power of Preaching, Administering the Sacraments, or doing any other act of Ministerial Office in his own person; but leaveth the performance of all such acts of either sort unto such persons, as the said several respective Powers do of Divine Right belong unto, viz. of the one sort to the Bishop, and of the other to all Priests. Yet doth the King, by virtue of that Supremacy, challenge a power as belonging unto him in the right of his Crown, to make Laws as well concerning Preaching, Administering the Sacraments, and other acts belonging to the function of a Priest, as concerning Ordination of Ministers, proceedings in matters of Ecclesiastical cognizance in the Spiritual Courts, and other acts belonging to the function of a Bishop. To which Laws as well the Priests as the Bishops are subject, and ought to submit to be limited and regulated thereby in the exercise of those their several respective Powers, their claim to a *Jus Divinum*, and that their said several Powers are of God, notwithstanding. I demand then, as to the Regal

* 'by the King's.' In Editions subsequent to the First, 'by the Ecclesiastical Laws.'

Power, is not the case of the Bishops and of the Ministers every way alike? Do they not both pretend their Powers to be of God? And are they not yet for all that both bound in the exercise of those Powers* to obey the King and his Laws? Is there not clearly the same reason of both? How then cometh it to pass, that these are pronounced innocent, and those guilty? Can any think God will wink at such foul partiality? or *account them pure with the bag of deceitful weights?* [Micah vi. 11.]

XII. Fourthly, that there can be no fear of any danger to arise to the prejudice of the Regal Power, from the opinion that Bishops are *Jure Divino*, unless that opinion should be stretched to one of these two constructions: viz. as if it were intended, either, 1^o, that all the Power which Bishops have legally exercised in Christian Kingdoms did belong to them as of Divine Right; or, 2^o, that Bishops living under Christian Kings might at least exercise so much of their power as is of Divine Right after their own pleasure, without, or even against the King's leave, or without respect to the Laws and Customs of the Realm. Neither of which is any part of our meaning. All Power, to the exercise whereof our Bishops have pretended, cometh under one of the two heads: of Order, or of Jurisdiction. The Power of Order consisteth partly in Preaching the Word and other Offices of Public Worship, common to them with their fellow Ministers; partly in Ordaining Priests and Deacons, admitting them to their particular Cures, and other things of like nature, peculiar to them alone. The power of Jurisdiction is either internal, in retaining and remitting sins *in foro Conscientiae*, common to them also, for the substance of the authority, though with some difference of degree, with other Ministers, or external for the outward government of the Church in some parts thereof peculiar to them alone. For that external Power is either directive, in prescribing rules and orders to those under their Jurisdictions, and making Canons and Constitutions to be observed by the Church, wherein the inferior Clergy by their representatives in Convocation have their votes as well as the Bishops, and both

* 'of those Powers.' In Editions subsequent to the First, 'of both those Powers.'

dependently upon the King (for they cannot either meet without his Writ, or treat without his Commission, or establish without his Royal Assent); or judiciary and coercive, in giving sentence *in foro exteriori* in matters of Ecclesiastical Cognisance, excommunicating, fining, imprisoning offenders, and the like. Of these Powers, some branches, not only in the exercise thereof, but even in the very substance of the Power itself, as namely that of external Jurisdiction coercive, are by the Laws declared, and by the Clergy acknowledged, to be wholly and entirely derived from the King, as the sole fountain of all authority of external Jurisdiction, whether spiritual or temporal, within the Realm; and consequently not of Divine Right. Other some, although the substance of the Power itself be immediately from God, and not from the King, as those of Preaching, Ordaining, Absolving, &c, yet are they so subject to be inhibited, limited, or otherwise regulated in the outward exercise of that Power by the Laws and Customs of the Land, as that the whole execution thereof still dependeth upon the Regal Authority. And how can the gross of that Power be prejudicial to the King or his Supremacy, whereof all the parts are confessed either to be derived from him, or not to be executed without him?

XIII. Fifthly, that if Episcopacy must be therefore concluded to be repugnant to Monarchy, because it claimeth to be of Divine Right, then must Monarchs either suffer within their dominions no form of Church Government at all, and then will Church, and with it Religion, soon fall to the ground; or else they must devise some new model of Government, such as never was yet used or challenged in any part of the Christian world: since no form of Government ever yet used, or challenged, but hath claimed to a *Jus Divinum* as well as Episcopacy. Yea, I may say truly, every one of them with far more noise, though with far less reason than Episcopacy hath done. And therefore of what party soever the Objectors are, Papists, Presbyterians, or Independents, they show themselves extremely partial against the honest regular Protestant, in condemning him as an enemy to Regal Power for holding that in his way, which, if it be justly chargeable with such a crime, themselves holding the very same in their several ways, are every whit as deeply guilty of as he.

XIV. Lastly, that this their partiality is by so much the more inexcusable, by how much the true English Protestant for his Government not only hath a better title to a *Jus Divinum* than any of the other three have for theirs, but also pleadeth the same with more caution and modesty than any of them do. Which of the four pretenders hath the best title, is no part of the business we are now about. The trial of that will rest upon the strength of the arguments that are brought to maintain it: wherein the Presbyterians perhaps will not find any very great advantage beyond the rest of those that contest for it. But let the right be where it will be, we will for the present suppose them all to have equal title, and thus far indeed they are equal, that every one taketh his own to be best; and it shall suffice to show, that the *Jus Divinum* is pleaded by the Episcopal party with more calmness and moderation, and with less derogation from Regal Dignity, than by any other of the three.

XV. For, first, the rest, when they spake* of *Jus Divinum* in reference to their several ways of Church-Government, take it in the highest elevation, in the first and strictest sense. The Papist groundeth the Pope's Oecumenical Supremacy upon Christ's Command to Peter to execute it, and to all the flock of Christ, Princes also as well as others, to submit to him as their Universal Pastor. The Presbyterian crieth up his Model of Government and Discipline, though minted in the last by-gone century, as the very sceptre of Christ's Kingdom, whereunto all Kings are bound to submit theirs: making it as unalterable and inevitably necessary to the being of a Church, as the Word and Sacraments are. The Independent Separatist also, upon that grand principle of Puritanism, common to him with the Presbyterian, the very root of almost all the Sects in the world, viz. that nothing is to be ordered in Church matters, other, or otherwise than Christ hath appointed in His Word, holdeth that any company of people gathered together by mutual consent in a Church-way is *Jure Divino* free and absolute within itself, to govern itself by such rules as it shall judge agreeable to God's Word, without dependence upon any but Christ Jesus alone, or subjection to any

* 'spake.' So in all the Editions. ? 'speak.'

Prince, Prelate, or other human person or Consistory whatsoever. All these, you see, do not only claim to a *Jus Divinum*, and that of a very high nature, but in setting down their opinions weave in some expresses tending to the diminution of the Ecclesiastical Supremacy of Princes. Whereas the Episcopal Party neither meddle with the power of Princes, nor are ordinarily very forward to press the *Jus Divinum*, but rather purposely decline the mentioning of it, as a term subject to misconstruction, as hath been said, or else so interpret it as not of necessity to import any more than an Apostolical Institution. Yet the Apostle's authority in that Institution, being warranted by the example, and, as they doubt not, the direction of their Master, Jesus Christ, they worthily esteem to be so reverend and obligatory, as that they would not for a world have any hand in, or willingly and deliberately contribute the least assistance towards, much less bind themselves by solemn League and Covenant to endeavour, the extirpation of that Government; but rather on the contrary hold themselves in their consciences obliged, to the uttermost of their powers to endeavour the preservation and continuance thereof in these Churches, and do heartily wish the restitution and establishment of the same, wheresoever it is not, or wheresoever it hath been heretofore, under any whatsoever pretence, unhappily laid aside, or abolished.

XVI. Secondly, the rest, not by remote inferences, but by immediate and natural deduction out of their own acknowledged principles, do some way or other deny the King's Supremacy in matters Ecclesiastical: either claiming a power of Jurisdiction over him, or pleading a privilege of Exemption from under him. The Papists do it both ways, in their several doctrines of the Pope's Supremacy, and of the Exemption of the Clergy. The Puritans of both sorts, who think they have sufficiently confuted every thing they have a mind to dislike, if they have once pronounced it Popish and Anti-Christian, do yet herein, as in very many other things, and some of them of the most dangerous consequence, symbolize with the Papists, and after a sort divide that branch of Anti-Christianism wholly between them: the Presbyterians claiming to their Consistories as full and absolute spiritual jurisdiction over Princes, with power even to excommunicate them, if they

shall see cause for it, as the Papists challenge to belong to the Pope; and the Independents exempting their Congregations from all spiritual subjection to them, in as ample manner, as the Papists do their Clergy. Whereas the English Protestant Bishops and regular Clergy, as becometh good Christians and good Subjects, do neither pretend to any jurisdiction over the Kings of England, nor withdraw their subjection from them; but acknowledge them to have Sovereign Power over them, as well as over their other subjects; and that in all matters, Ecclesiastical as well as temporal. By all which it is clear, that the *Jus Divinum* of Episcopacy, as it is maintained by those they call, *stylo novo*, the Prelatical party in England, is not an opinion of so dangerous a nature, nor so derogatory to the Regal Powers, as the adversaries thereof would make the world believe it is; but that rather, of all the forms of Church-Government that ever yet were endeavoured to be brought into the Churches of Christ, it is the most innocent in that behalf.

SECTION III.

In answer to the latter Objection.

I. Having thus cleared the opinion held concerning Episcopacy in the Church of England from the crime unjustly charged upon it by the adversaries, but whereof in truth themselves are deeply guilty, in their former Objection, our next business will be the easier, to justify it in the practice also from the like charge laid against it in the latter Objection, by shewing that the Jurisdiction exercised by the Bishops within this Realm, and namely in that particular which the Objectors urge with most vehemency, of acting so many things in their own names, is no way derogatory to the King's Majesty's Power or honour. Wherein it were enough for the satisfaction of every understanding man, without descending to any further particularities, to shew the impertinency of the Objectors from these two general Considerations.

II. First, that the Bishops have exercised no Jurisdiction *in foro externo* within this Realm but such as hath been granted unto them by the successive Kings of England; neither have challenged any such Jurisdiction to belong unto them by any inherent right or title in their persons or callings, but only by

emanation and derivation from the Royal Authority. The very words of the Statute, *primo Edw. VI*, in the Objection mentioned run thus: 'Seeing that all authority of Jurisdiction Spiritual and Temporal is derived and deducted from the King's Majesty as Supreme Head, and so justly acknowledged by the Clergy of the said Realms, and that all Courts Ecclesiastical be kept by no other power or authority, either foreign or within the Realms, but by the authority of His most Excellent Majesty,' &c. Now the regular exercise of a derived Power is so far from destroying, or any way diminishing that original Power from whence it is derived, as that it rather confirmeth and establisheth the same. Yea, the further such derived Power is extended and enlarged in the exercise thereof, so as it be regular, that is, so long as it containeth itself within the bounds of its grant, and exceedeth not the limits prefixed thereunto by that original Power that granted it, the more it serveth to set forth the honour and greatness of that original power: since the virtue of the efficient Cause is best known by the greatness of the effect; for *propter quod unumquodque est tale, illud ipsum est magis tale*. As the warmth of the room doth not lessen the heat of the fire upon the hearth, but is rather a sign of the greatness of that heat: nor doth the abundance of sap in the branches cause any abatement in the root, but is rather an evident demonstration of the greater plenty there.

III. Secondly, that it is one of the greatest follies in the world, to endeavour in good earnest to maintain any thing by argument, when we have the evidence of sense or experience to the contrary. For what is it *cum ratione insanire*, if this be not? to deny fire to be hot, or water to be moist, or snow to be white, when our senses inform us they are such? Or to prove by argument that life may be perpetuated by the help of art and good diet, or that infants are capable of faith or instruction by ordinary means, when experience sheweth the contrary. Now the experience of above fourscore years, ever since the beginning of Queen Elizabeth's Reign, doth make it most evident, that the exercise of Episcopal Jurisdiction by the Protestant Bishops here, was so far from diminishing the Power, or eclipsing the Glory of the Crown, that the Kings and Queens of England never enjoyed their Royal Power in a

fuller measure, or flourished with greater lustre, honour, and prosperity, than when the Bishops, by their favour, enjoyed the full liberty of their Courts, Jurisdictions, honours, and privileges, according to ancient grants of former Kings, and the Laws and Customs of England. On the other side, in what condition of power and honour, otherwise than in the hearts of his oppressed subjects, our most pious and gracious Sovereign that now is hath stood, and at this present standeth, through the prevalency of the Smeetymnuan Faction,* ever since they had the opportunity and forehead, from lopping off, as was at first pretended, some luxuriant superfluities, as they at least imagined them to be, in the branches of Episcopal Jurisdiction, as High Commission Oath, *ex officio*,† &c, to proceed to take away Episcopacy itself root and branch, it were a happy thing for us, if the lamentable experience of these late times would suffer us to be ignorant. So as we now look upon that short aphorism so usual with His Majesty's Royal Father, 'No Bishop, no King,'‡ not as a sentence only full of present truth when it was uttered, but rather as a sad prophecy of future events, since come to pass. The miseries of these wasting divisions both in the Church and Commonwealth we cannot with any reason hope to see an end of, until it shall please Almighty God, in His infinite mercy to a sinful Nation, to restore them both, King and Bishops, to their ancient, just, and rightful Power; and in order thereunto graciously to hear the weak prayers of a small oppressed party, yet coming from loyal hearts, and going *not out of feigned lips*, beyond the loud, crying perjuries, sacrileges, and oppressions of those that

* Smeetymnus, made up of the Initials of Stephen Marshall, Edmund Calamy, Thomas Young, Matthew Newcomen, and William Spurstow, was a feigned Name under which those five Divines, in 1641, published an Answer to 'An Humble Remonstrance to the High Court of Parliament by a dutiful son of the Church,' drawn up by Bp. Hall in the preceding year.

† The Court of High Commission was constituted in 1584, and abolished in 1641. The Oath *ex officio* or *ex officio mero* obliged those to

whom it was administered to answer all questions, even to the criminalizing of themselves or their most intimate friends. Reasons for and against the Court and the Oath are given by Fuller, in his Church History, Book ix. Cent. xvi. Sect. 5. See Strype's Life of Whitgift, ii. 28, 76, and Appendix 232, 263, 80. for Cartwright's refusal to take the Oath *ex officio* in 1590.

‡ See Barlow's Sum and Substance of the Conference at Hampton Court, pp. 36, 82; or in Cardwell's History of Conferences, p. 203.

now exercise an arbitrary Sovereignty over their fellow-subjects without either justice or mercy, together with the abominable hypocrisy and disloyalty that hath so long reigned in them and their adherents.

IV. Those two general Considerations, although they might, as I said, suffice to take away the force of the Objection, without troubling ourselves or the Reader with any further answer thereunto, yet that the Objectors may not have the least occasion given them to quarrel the proceedings,* as if we did purposely decline a just trial, we shall come up a little closer, and examine more particularly every material point, in the order as they lie in the Objection aforesaid. And the Points are three.

1. That the manner used by the Bishops, in sending out their Summonses, &c. in their own names, is contrary to the form and order of other Courts.
2. That such forms of Process seem to have at first proceeded from the usurped power of the Bishops of Rome, who laboured by all possible means to bring down the Regal Power and set up their own.
3. That upon these very grounds the Custom was altered by Act of Parliament, and a Statute made 1 Edw. VI.,† howsoever since repealed and discontinued, that all Processes Ecclesiastical should be made in the King's Name, and not in the Bishops'.

V. As to the first point, true it is that the manner used by the Bishops in the Ecclesiastical Courts, viz. in issuing out Summonses, Citations, Processes, giving Judgments, &c. in their own Names, and not in the King's, is different from the manner used in the King's Bench, Exchequer, Chancery, and sundry other Courts. But that difference neither doth of necessity import an independency of the Ecclesiastical Courts upon the King, nor did in all probability arise at the beginning from the opinion of any such independency; nor ought in reason to be construed as a disacknowledgment of the King's Authority and Supremacy Ecclesiastical.

VI. For, first, there is between such Courts as are the King's own immediate Courts, and such Courts as are not, a

* 'quarrel the proceedings.' Compare Sermon iii. ad Magistratum, §. 13.

† See above, p. 145.

great difference in this point. Of the former sort are especially the King's Bench and Chancery: as also the Courts of Common Pleas, Exchequer, Justices of Gaol-delivery, &c. In the King's Bench the Kings themselves in former times have often personally sat, whence it came to have the name of the King's Bench; neither was it tied to any particular place, but followed the King's person. At this day also all Writs returnable there run in this style, *Coram nobis*, and not, as in some other Courts, *Coram Justitiariis nostris* or the like; and all Judicial Records there are styled, and the Pleas there holden entered, *Coram Rege*, and not *Coram Justitiariis Domini Regis*. Appeals also are made from inferior Judges in other Courts to the King in Chancery, because in the construction of the Laws the King's personal Power and Presence is supposed to be there; and therefore *Sub-pœnas* granted out of that Court, and all matters of Record passed there, run in the same style, *Coram Rege*, &c; forasmuch as in the Judges in these two Courts there is a more immediate representation of the King's personal power and presence, than in the Judges of those other Courts of Common Pleas, Exchequer, &c. which yet, by reason of his immediate virtual power and presence, are the King's immediate Courts too. In regard of which his immediate virtual power, although the style of the Writs and Records there be not *Coram nobis*, *Coram Rege*, as in the former, but only *Coram Justitiariis*, *Coram Baronibus nostris*, &c, yet inasmuch as the Judges in those Courts are the King's immediate sworn Ministers to execute justice, and to do equal right to all the King's people in his name, therefore all Processes, Pleas, Acts, and Judgments are made and done in those Courts, as well as in the two former, in the King's Name. But in such Courts as do not suppose any such immediate representation or presence of the King's either personal or virtual power, as that thereby they may be holden and taken to be the King's own immediate Courts, the case is far otherwise. For neither are the Judges in those Courts sworn the King's Judges, to administer justice and do right to the King's subjects in his name and stead; nor do they take upon them the authority, to cite any person, or to give any sentence, or to do any act of jurisdiction in the King's name; having never been by him authorized so to do. Of this sort are, amongst

others best known to them that are skilled in the Laws of this Realm, all Courts-Baron held by the Lord of a Manor, Customary Courts of Copyholders, &c. and such Courts as are held by the King's grant, by Charter to some Corporation, as to a City, Borough, or University; or else by long usage and prescription of time. In all which Courts, and if there be any other of like nature, Summonses are issued out, and Judgments given, and all other Acts and Proceedings made and done in the name of such persons as have chief authority in the said Courts, and not in the name of the King: so as the styles run thus, *A. B. Major civitatis Ebor.*; *N. M. Cancellarius Universitatis Oxon.* and the like; and not *Carolus, Dei Gratia, &c.*

VII. Upon this ground it is that our Lawyers* tell us out of Bracton,† that, in case of Bastardy to be certified by the Bishop, no inferior Court, as London, York, Norwich, or any other Incorporation, can write to the Bishop to require him to certify; but any of the King's Courts at Westminster, as Common Pleas, King's Bench, &c. may write to him to certify in that case. The reason is, because *Nullus alius præter Regem potest Episcopo demandare inquisitionem faciendam.* Which maketh it plain that the King's immediate Power, either personal or virtual, is by the Law supposed to be present in Courts of the one sort, not of the other: the one sort being his own immediate Courts, and the other not.

VIII. Now that the Ecclesiastical Courts, wherein the Bishops exercise their jurisdiction, are of the latter sort, I doubt not but our Law-books will afford plenty of arguments to prove it, beyond all possibility of contradiction or cavil. Which, being little versed in those studies, I leave for them to find out who have leisure to search the books, and do better understand the nature, constitution, differences, and bounds of the several Courts within this realm. One argument there is, very obvious to every understanding, which because I shall have fit occasion a little after to declare, I will not now any longer insist upon, taken from the nature of the jurisdiction of these Courts, so far distant from the jurisdiction appertaining to

* Coke, I. Instit. Book ii. Sect.
201.

† De Legibus et Consuetudinibus
Angliæ, iv. 19.

those other Courts, that these are notoriously separated and in common and vulgar speech distinguished from all other by the peculiar name and appellation of the Spiritual Courts. But another argument, which those books have suggested, I am the more willing here to produce, for that it not only sufficiently proveth the matter now in hand, but is also very needful to be better known abroad in the world than it is, for the removing of a very unjust censure, which, merely for want of the knowledge of the true cause, hath been laid upon the Bishops in one particular, to their great wrong and prejudice. It hath been much talked on, not only by the common sort of people, but by some persons also of better rank and understanding, and imputed to the Bishops as an act of very high insolency, that in their Processes, Patents, Commissions, Licences, and other Instruments whereunto their Episcopal Seal is affixed, so oft as they have occasion to mention themselves, the style runneth evermore in the plural number, *Nos, G. Cantuar. Archiepiscopus, Coram nobis, Salvo nobis, &c.* just as it doth in His Majesty's Letters Patents and Commissions: thereby shewing themselves, say they, as if they were his fellows and equals. All this great noise and clamour against the pride of the Bishops upon this score, proceedeth, as I said, merely from the ignorance of the true original cause and ground of that innocent and ancient usage; and therefore cannot signify much to any reasonable and considering man, when that ground is discovered: which is this, viz. that every Bishop is in construction of our Laws a Corporation. For although the Bishop of himself and in his private and personal capacity be but a single person as other men are, and accordingly in his Letters concerning his own particular affairs, and in all other his actings upon his own occasions and as a private person, writeth of himself in the singular number, as other private men do; yet for as much as in his public and politic capacity, and as a Bishop in the Church of England, he standeth in the eye of the Law as a Corporation, the King not only alloweth him, acting in that capacity, to write of himself in the plural number, but in all Writs directed to him as Bishop, as in Presentations, and the like, bespeaketh him in the plural number, *Vestrae Dioecesis, Vobis praesentamus, &c.* The Bishop then being a Corporation, and that by the King's authority, as

all other Corporations, whether simple or aggregate, whether by Charter or Prescription, are, it is meet he should hold his Courts, and proceed therein in the same manner and form, where there is no apparent reason to the contrary, as other Corporations do. And therefore as it would be a high presumption for the Chancellor and Scholars of one of the Universities, being a Corporation to whom the King by his Charter hath granted a Court, or for the Mayor and Aldermen of a City for the same reason, to issue Writs, or do other acts in their Courts in the King's Name, not having any authority from the King or the grant, or from the Laws and Customs of England so to do: so doubtless it would for the same reason be esteemed a presumption no less intolerable for the Bishops to use the King's Name in their Processes and judicial acts, not having any sufficient legal warrant or authority for so doing.

IX. Which if it were duly considered, would induce any reasonable man to believe and confess that this manner of proceeding in their own Names used by the Bishops in their Courts, is so far from trenching upon the Regal Power and Authority, which is the crime charged upon it by the Objectors, that the contrary usage, unless it were enjoined by some Law of the Land, as it was in the Reign of King Edward the Sixth, might far more justly be charged therewithal. For the true reason of using the King's Name in any Court, is not thereby to acknowledge the emanation of the Power or Jurisdiction of that Court from, or the subordination of that Power unto, the King's Power or Authority, as the Objectors seem to suppose; but rather to show the same Court to be one of the King's own immediate Courts, wherein the King himself is supposed, in the construction of the Law, either by his personal or virtual power to be present. And the not using of the King's Name in other Courts doth not infer, as if the Judges of the said Courts did not act by the King's Authority, (for who can imagine that they who hold a Court by virtue of the King's grant only, should pretend to act by any other than his Authority?) but only that they are no immediate representatives of the King's person in such their Jurisdiction, nor have consequently any allowance from him to use his Name in the exercise or execution thereof.

X. Secondly, there is another observable difference in this point between the King's Common Law Courts, such as are most of those aforementioned, and those Courts that proceed according to the way of the Civil Law. If the King appoint a Constable, or Earl Marshal, or Admiral of England, forasmuch as all Trials in the Marshal's Court, commonly called the Court of Honour, and in the Admiralty are according to the Civil Law; all Processes therefore, Sentences, and Acts in those Courts go in the names of the Constable, Earl Marshal, or Admiral, and not in the King's Name. Which manner of proceeding constantly used in those Courts, sith no man hitherto hath been found to interpret as any diminution at all or disacknowledgment of the King's Sovereignty over the said Courts, it were not possible the same manner of proceeding in the Ecclesiastical Courts should be so confidently charged with so heinous a crime, did not the intervention of some wicked lust or other prevail with men of corrupt minds to *become* S. James ii. 4. *partial judges of evil thoughts.*

XI. Especially considering that, thirdly, there is yet a more special and peculiar reason to be given in the behalf of the Bishops for not using the King's Name in their Processes, &c. in the Ecclesiastical Courts, than can be given for the Judges of any other the abovementioned Courts, either of the Common or Civil Laws, in the said respect; arising, as hath been already in part touched, from the different nature of their several respective Jurisdictions. Which is, that the summons and other proceedings and acts in the Ecclesiastical Courts are for the most part in order to the Ecclesiastical censures and sentences of excommunication, &c. The passing of which sentences, and others of like kind, being a part of the Power of the Keys which our Lord Jesus Christ thought fit to leave in the hands of His Apostles and their successors, and not in the hands of laymen, the Kings of England never challenged to belong unto themselves, but left the exercise of that Power entirely to the Bishops, as the lawful successors of the Apostles, and inheritors of their Power. The regulating and ordering of that Power in sundry circumstances concerning the outward exercise thereof, *in foro externo*, the godly Kings of England have thought to belong unto them as in the right of their Crown; and have accordingly made Laws concerning

the same, even as they have done also concerning other matters appertaining to Religion and the Worship of God. But the substance of that Power, and the function thereof, as they saw it to be altogether improper to their office and calling, so they never pretended or laid claim thereunto. But on the contrary, when, by occasion of the title of Supreme Head, &c. assumed by King Henry the Eighth, they were charged by the Papists for challenging to themselves such Power and Authority spiritual, they constantly and openly disavowed it to the whole world, renouncing all claim to any such Power or Authority. As is manifest, not only from the allowed writings of many godly Bishops, eminent for their learning in their several respective times, in vindication of the Church of England from that calumny of the Papists; as Archbishop Whitgift, Bishop Bilson, Bishop Andrews, Bishop Carleton, and others; but also by the Injunctions of Queen Elizabeth, and the Admonition prefixed thereunto; by the thirty-seventh Article of the Church of England, required to be subscribed by all that take Orders in the Church or Degrees in the Universities; and by constant declared judgment and practice of the two late Kings of blessed memory, King James, and King Charles the First. They who thus expressly disclaimed the meddling with spiritual censures, and the power of the Keys, cannot be rationally supposed to have thought their own presence, either personal or virtual, any way requisite in the Courts where such censures were to be pronounced, and that Power to be administered and exercised; and therefore doubtless could not deem it fit or proper, that in the juridical proceedings of such Courts their Names should be used.

XII. The second point in the charge objected is, that this custom used by the Bishops in acting all things in the Ecclesiastical Courts in their own Names grew at first from the exorbitant power of the Popes, who laboured what they could to advance their own greatness by exempting the Clergy from all subjection to temporal Princes, and setting up an Ecclesiastical Power of Jurisdiction independent upon the Secular; and that the Parliament had that sense of it in the Reign of King Edward the Sixth, as the words of the Statute made, 1 Edward VI, for the altering of the said Custom, do plainly intimate.

XIII. In which part of the Charge there is at the most but thus much of Truth. 1^o. That the Bishops of Rome did not omit with all sedulity to pursue the grand design of that See, which was to bring all Christian Princes into subjection to itself. 2^o. That all the labouring for the exemption of the Clergy from the Secular Powers was in order to that design. 3^o. That the Bishops' manner of using their own names in all acts of their Jurisdiction, looked upon alone and by itself, without any consideration of the true reasons thereof, doth carry, by so much the more, show of serving the Papal Interest, than if they should do all in the King's Name, by how much the acknowledging the King's Supremacy Ecclesiastical is less apparent therein than in the other. 4^o. That the want of such an express acknowledgment of the King's Supremacy, together with the jealousies the State had in those times over any thing that might seem to further or favour the usurped power of the Pope in the least degree, might very probably in this particular, as well as it did in some other things, occasion such men as bare the greatest sway in managing the public affairs in the beginning of that godly but young King's Reign, out of a just detestation of the Papacy, to endeavour over-hastily the abolishing of whatsoever was with any colour suggested unto them to savour of Popery, without such due examination of the grounds of those suggestions as was requisite in a matter of so great importance.

XIV. This is all we can, perhaps more than we need, yield unto in this point of the Charge. But then there are some other things which we cannot easily assent unto: as viz.

1^o. That this Custom had undoubtedly its original and growth from the Pope's usurped Power. Which as we think it impossible for them to prove, so it seemeth to us the less probable, because by comparing of this course used in the Ecclesiastical Courts with the practice of sundry other Courts, some of like, some of different nature thereunto, we have already showed the true reasons and grounds of the difference between some Courts and other some in this particular.

2^o. That it is a rag or relique of Antichristian Tyranny. Which we believe to be altogether untrue. Not only for the reasons before specified, and for that the same is done in sundry other Courts holden within this Realm without any note

of Antichristianism or Popery fastened thereupon; but also because it hath been constantly continued in this Kingdom, the short Reign of King Edward the Sixth only excepted, with the allowance of all the Protestant Kings and Queens of this Realm ever since the Reformation. Who, although they be ever and anon taxed by the Puritan Faction, unjustly and insolently enough, for want of a Thorough Reformation, and leaving so much Popish trash unpurged in the point of Worship and Ceremonies, yet have not usually been blamed by that party for being wanting to themselves in vindicating to the uttermost their Regal Authority and Supremacy Ecclesiastical from the usurped Power of the Bishops of Rome, in any thing wherein they conceived it to be in any wise or degree concerned. As also because this manner of proceeding in the Courts Ecclesiastical hath been constantly, and without scruple of Conscience or suspicion of Popery, used and practised by all our godly and orthodox Bishops, even those who have been the most zealous maintainers of our Religion against the Papists, and such as have particularly written against the Antichristian Tyranny of the Pope, or in defence of the King's Supremacy in matters Ecclesiastical; as Jewel, Bilson, Abbot, Buckeridge, Carleton, and many others.

XV. But against all this that hath been said, how agreeable soever it may seem to Truth and Reason, may be opposed the judgment of the whole Realm in Parliament, the Bishops themselves also then sitting and voting as well as other the Lords and Commons, in the first year of the Reign of King Edward the Sixth, who thought fit by their Act to alter the aforesaid form, and that upon the two aforesaid grounds: viz. that it was contrary to the form and order of the Common Law Courts, and according to the form and manner used in the time of the usurped Power of the Bishop of Rome. Which being the last and weightiest point in the Charge, is the more considerable, in that, besides its own strength, it giveth also further strength and confirmation to the other two.

XVI. But for answer unto this argument drawn from the judgment of the Parliament, as it is declared in the Statute of 1 Edw. VI, I would demand of the Objectors, where they place the chief strength of the argument? whether in the Authority of the Persons, viz. the great Assembly of State

convened in Parliament, so judging; or in [the] validity of those reasons which led them so to judge. If in this latter, their judgment can weigh no more than the reasons do whereon it is built; the frailty whereof we have already examined and discovered. If in the Authority of the Judges, we lay in the balance against it the judgment of the Kingdom in all the Parliaments after the decease of King Edward for above fourscore Years together: the first whereof repealed that Statute; and none of those that followed, for ought appeareth to us, ever went about to revive it.

XVII. If it shall be said, first, that the enacting of that Statute by King Edward was done in order to the further abolishing of Popery, and the perfecting of the Reformation begun by his father, I answer, that as it was a very pious care, and of singular example in so young a Prince, to intend and endeavour the Reformation of Religion and the Church within his Realms, for which even at this day we have cause to acknowledge the good Providence of Almighty God in raising him up to become so blessed an instrument of His glory and our good,—so on the other side we cannot doubt but that the business of Reformation under him was carried on with such mixture of private ends, and other human frailties and affections, as are usually incident into the enterprising of great affairs, especially such as cannot be effected without the assistance of many instruments. All of which in likelihood being not of one judgment and temper, but having their several inclinations, passions, and interests with great difference, the product of their endeavours, whatsoever sincerity there were in the intentions of the first mover, must needs be such as the constitution of the most prevalent instruments employed in the work would permit it to be. The very name of Reformation of Religion and Manners, and of abuses crept into the Church or Commonwealth, carrieth with it a great deal of outward glory and lustre, filling the hearts of men with expectations of much happiness to ensue; and in that hope is evermore entertained with general applause, especially of the vulgar sort: because men look upon it as it were in the idea, that is to say, as it is fancied and devised in the mind and imagination, and abstractedly from those impediments and inconveniences, which when they come *ad practicandum*, and to put their thoughts

in execution, they shall be sure to meet withal more or less, to render the performance short of the promise and expectation.

XVIII. Now because Reformation is so much talked of in these evil days of ours, wherein thousands of well-meaning people have been seduced into dangerous by-paths by that specious name, it will not be amiss, though we may seem perhaps to digress a little for it, to prompt the reader to some considerations, that may incline him rather to suspect a thing to be ill done, than to be confident that it is well done, if he have no other reason of that confidence but this, that it is pretended to be done by way of Reformation.

XIX. It is considerable, first, that Reformation is the usual vizard, wherewith men of insatiable avarice or ambition disguise their base, unworthy intentions, that the ugliness thereof may not appear to vulgar eyes. Seldom hath any sacrilegious or seditious attempt appeared abroad in the world, and been countenanced either by the great ones or the many, which hath not been ushered in by this piece of Hypocrisy. Not to look further, backward or forward, for instances in both kinds, than to the Reign of that King wherein the Statute so much insisted upon was made; it cannot be denied, but that during the reign of that religious and godly young King, without his knowledge as we verily hope and believe, or at most through the malicious suggestions and cunning insinuations of some that were about him, such sacrileges were acted, and that under the name and pretence of Reformation, as have cast a very foul blemish upon our very Religion, especially in the eyes of our adversaries, who have ever showed themselves forward enough to impute the faults of the persons to the profession. And under the same pretence of Reformation were also masked all the bloodshed, mischiefs, and outrages committed by Kett* and his seditious rabble in the same King's Reign: insomuch as a great oak whereat they appointed their usual meetings, and whereon, by the just judgment of God, himself, the ringleader of that rebellion, was afterwards hanged, was by them called the Oak of Reformation. By what was done in those times, ill enough indeed, yet modestly in com-

* Compare De Conscientia, Prael. v. §. 11.

parison of what hath been done in ours, we may have a near guess what their meaning is, that are so eagerly set upon a Thorough Reformation, as they call it, in the Church, in the Commonwealth, in the Universities: even to get into their own hands and disposal all the places and offices of power or profit in them all. I dare not say,—for truly of some I believe the contrary, and hope the same of many more,—that all those that join in vote or act with those plausible pretenders of Reformation, or wish well unto them in the simplicity of their hearts, are guilty of their abominable hypocrisy. But sure all experience showeth, that in great Councils there are evermore some one or a few *Δημαγωγοί*, active and cunning men that are able, by the reputation of their wisdom and abilities of speech, to carry all businesses in the vogue even as themselves have beforehand closely contrived them: leading on the rest, as a bell-wether doth the whole flock, or as a crafty foreman of a Jury doth the whole dozen,* which way soever they please; who follow tamely after, *qua itur, non qua eundum*, in an implicit belief, that that must needs be the right way, which they see such skilful guides to have taken before them.

XX. But say there were no such reserved, secret, sinister ends either in the chief agents or their ministers, but that a just Reformation were as really and sincerely intended by them all, as it is by some of them speciously pretended, yet is it considerable, secondly, how very difficult a thing it is, in the business of Reformation to stay at the right point, and not to overdo, by reason of that *ἀμετρία τῆς ἀνθολκῆς*,† whereby we are very apt, in declining one of the extremes, to fall into the other, either in point of opinion or practice. In detestation of the heresy of Nestorius, who distinguished the Persons in Christ, because he knew there were two Natures, Eutyches went so far as to confound the natures, because he knew there was but one Person. And because the Papists by the multitude and pompousness of their Ceremonies had taken away much of the inward vigour of God's Public Worship, by drawing it too much outward, the Puritans, in opposition to them, and to reform that error, by stripping it of all Ceremonies have

* Compare Sermon iii. ad Magistr. §. 33.

† Basil. Epist. 41. ad Maximum

Philosophum, iii. p. 60. Paris, 1638. quoted in the Preface to the Twenty Sermons, Dec. 31, 1655, §. 12.

left it so bare, that, besides the unseemliness, it is well nigh starved for want of convenient clothing. It is in the distempers of the body politic in this respect not much otherwise than it is in those of the body natural. In an ague, when the cold fit hath had his course, the body doth not thence return to a kindly natural warmth, but falleth speedily into a burning preternatural heat, nothing less, if not rather more, afflictive than the former. And how often have Physicians, not the learned Empirics only, but even those best renowned for their skill and judgment, by tampering with a crazy body to master the predominancy of some noxious humour therein, cast their Patients, ere they were aware, under the tyranny of another and contrary humour as perilous as the former: or for fear of leaving too much bad blood in the veins, have letten out too much of the vital spirits withal? Only the difference is, that in bodily diseases this course may be sometimes profitably experimented, and with good success: not only out of necessity, when there is no other way of cure left, as they use to say, ‘Desperate diseases must have desperate remedies;’ but also out of choice, and in a rational way; as Hippocrates adviseth in the case of some cold diseases to cast the Patient into a burning fever, which he calleth *πῦρ ποιεῖν*. And I remember to have read somewhere to that purpose such an Aphorism as this, *Utile est innasci febrem in spasmo*.^{*} But for the remedying of moral or politic distempers, it is neither warrantable nor safe to try such experiments. Not warrantable, because we have no such rule given us in the Word of God whereby to operate: nor safe, because herein the Mean only is commendable, all Extremes, whether in defect or excess, vicious. Now what defects or excesses there might be in the Reformation of Religion and the Church within these Realms during the Reigns of King Henry VIII, King Edward VI, and Queen Elizabeth, it doth not become me, neither is it needful, to examine. But sure it is, they that had the managery of those affairs in their several respective times were *ὁμοιοπαθεῖς ἡμῖν*, made of the same clay with other men,† subject to infirmities and passions, and to be biassed with partial af-

^{*} Πυρετὸν ἐπὶ σπασμῷ βέλτιον γινέσθαι, ἢ σπασμὸν ἐπὶ πυρετῷ. Hippocrates, Aphor. ii. 26. Cf. iv. 57.

† Compare Sermon xvi. ad Aulam, §. 27, and Sermon vii. ad Populum, §. 22.

fections, and those affections capable to be inflamed with zeal, cooled with delays, enraged by opposition, and allayed by seasonable applications. And therefore, although we cannot say for certain with what affections those Reformers in the beginning of King Edward's Reign were steered in the whole business, yet it is very possible, and in this particular of the Statutes, from the weakness of the reasons therein expressed, not improbable, that the jealousies they had of the Papal Power so lately ejected might make them more abundantly cautelous and solicitous to secure themselves thereagainst than need required. Verily, the temper of those times and men, and the Reformation made about those times in other countries considered, we have far greater cause to bless God that in their then Reformation in very many things they did not a great deal worse, than to blame them that in some few things they did not a little better, than they have done.

XXI. It is further considerable, thirdly, that where a Reformation is truly intended, and the thing itself intended by that Reformation to be established is also within a tolerable compass of mediocrity, there may yet be such error in the choice of the means to be used for the accomplishing of those intentions, as may vitiate the whole work, and render it blameworthy. For although it be a truth so expressly affirmed by the Apostle, and so agreeable to the dictates of right Reason, Rom. iii. 8. that we may not do any evil thing for any good end, as that I should scarce have believed it possible that any man, that pretended to be Christian or but reasonable, should hold the contrary, had I not been advertised by very credible persons that some men of eminent place and power did so, by distinguishing, (but beside the book, and where the Law distinguisheth not,) between a public and a private good end,—yet the eagerness of most men in the pursuance of such ends as they are fully bent upon, and their pride of spirit disdaining to be crossed in their purposes, and impatient of meeting with any opposition, putteth them many times upon the use of such means as seem for the present best conducing to the ends they have proposed to themselves, without any sufficient care to examine whether such means be lawful or not. For either they run on headlong and are resolved not to stick at any niceties of Conscience, but, being engaged in a design, to go through with it *per fas et*

nefas, measuring honesty by utility; or else they gather up any thin figleaves where they can meet with them, to hide the deformity of their actions if it were possible even from their own eyes; and are willing their affections should bribe and cheat their judgments with any weak reasons to pronounce that lawful to be done which they have a mind to do, the secret checks and murmurings of their Consciences to the contrary notwithstanding. Hence it is, that whereas men ought to conform all their wills and actions to the exact rule of God's Word, they do so often instead thereof crooken the rule to make it comply with their actions and desires:* raising such doctrines and conclusions from the sacred Texts of Scripture by forced inferences, as will best serve to give countenance to whatsoever they fancy to be, or please to call Reformation; and to whatsoever means they should use for the effecting of such Reformation, though it were by popular tumults, civil war, despising governors, breaking oaths, open rebellion, or any other act how unjust soever and full of disloyalty. Which made learned Zanchy, observing in his time how Anabaptists and all sorts of Sectaries, that attempted to bring in any new and unheard of alteration in Religion into the Churches of Christ by any means though never so seditious and unlawful, did yet justify all their enterprises by this, that they were done in order to a more perfect Reformation, to cry out, *Ego non intelligo istam Reformationum mundi Theologiam.*† Whether this observation be so fitly applicable to those times of King Edward's Reformation, as the two former considerations were, I know not: I am sure it fitteth but too well to these evil times of ours, wherein the pretence of a Thorough Reformation serveth as a foil to set off the blackest crimes that ever the Christian world was guilty of.

XXII. Lastly, say there should be nothing amiss in any of the premisses, but that the intentions were sincere, the proceedings moderate, and the means lawful; yet since no wit of man is at the present able to foresee all the inconveniences that may ensue upon any great and sudden change of such Laws and Customs as have been long and generally observed, till time and experience discover them, it may very well, and

* Compare Sermon ii. ad Clerum
§. 8.

† See De Conscientia, Prælect. ii.
§. 16.

not seldom doth, come to pass, that the Reformation intended for the remedying of some one abuse, or the preventing of some present apparent inconvenience, may open a gap to let in some other abuses or inconveniences, which, though yet undiscerned, may in time prove to be more and greater than those that were sought to be remedied. Physicians tell us that all sudden changes in the body are dangerous; and it is no otherwise in the Church and State. Which is the ground of that Maxim, well approved of all wise men, if rightly understood, *Malum bene positum non movendum*;* and of that other, so famous in the Ancient Councils, Τὰ ἀρχαῖα ἔθνη κρατεῖτω,† *Let the old Customs be observed*. And therefore Aristotle‡ gravely censureth that Law made by Hippodamus, the Milesian Lawgiver, that whosoever should devise any new Law for the common good should be rewarded by the State, as a Law indeed foolish and pernicious, how specious and plausible soever it seemed at the first appearance: because, saith he, it would but encourage busy and active spirits to be always innovating some thing or other in the State, which might finally tend to the subversion of all ancient Laws and Customs, and consequently of the whole Government itself. Now that the Reformation in King Edward's days, as to this particular in that Statute concerned, was subject at least to this frailty, we may very probably gather *a posteriori* from this: that after it was once repealed, they that had to do in the Reformation ever since, thought it fit rather to let it lie under that repeal, than to revive it.

XXIII. There can be no doubt but that to an Objection made from the force of a Statute, it is a sufficient answer, if it be true, to say that the said Statute hath been repealed and so continueth. Yet the adversaries of Episcopacy are so pertinaciously bent to hold their conclusion in despite of all premisses, that they seem to be nothing satisfied therewithal; but, dividing the answer, turn the former part of it, viz. that of the Repeal, to their own advantage. For, say they, that Repeal being made by Queen Mary, who was a Professed Papist and a persecutor of the Protestant Religion, was certainly an act

* Erasmus, Adag. Chil. I. Cent. i. Prov. 61. *Malum bene conditum ne moveris*.

† Sixth Canon of the First Nicene Council.

‡ Politics, II. viii. 16.

of her's done in favour of Popery, and so is a strong confirmation, that the form of proceeding formerly used by the Bishops in the Ecclesiastical Courts, prohibited by the Statute of King Edward, but restored by that her Repeal,* was a Popish practice, and more befitting Papists than Protestants to use.

XXIV. To return a full answer hereunto, first, it shall be willingly granted, that Queen Mary, being a zealous Papist, did cause that Statute made in the first of her brother's Reign to be repealed out of pure zeal to the Romish Religion, and in favour of the Pope and of his Jurisdiction. Both because she conceived, which was true, that her late brother, being a Protestant, had by that Statute prohibited the Bishops to do sundry things in their own Names, of purpose thereby to lessen the Pope's Authority within his Realms, as also because their using of the King's Name in their Processes and Acts carried with it, as we formerly granted, a more express and evident acknowledgment of the King's Supremacy Ecclesiastical than the contrary custom doth.

XXV. But then, secondly, this being granted, it will by no means follow either, first, that the repeal of that Statute is not to be valued by any Protestant; or that, secondly, the custom of the Bishops, prohibited by the Statute and restored by the Act of Repeal, was Popish; or, thirdly, that our former answer was insufficient. Not the first, because we are not to look upon the Statute and upon the Act of Repeal, as they were made, the one by a Protestant, the other by a Papist, for that were to judge *κατ' ὄψιν*, and *with respect of persons*; but to consider whether the reasons whereupon the Statute was grounded were *in veritate rei* such, as that it ought not to have been repealed either by Papist or Protestant. Which reasons how they have been valued, appeareth upon the postfact in this; that a Papist Princess by the principles of her Religion could do no less than repeal that Statute, and a Protestant Princess without prejudice to the principles of her Religion might continue that Repeal.

XXVI. Not the second, because that very Statute of 1 Edward the Sixth, by which it is ordained that all Summonses, Citations, and other Processes Ecclesiastical be made in the

* See Heylin's Life of Laud, p. 341.

Name and with the style of the King, doth itself sufficiently absolve the contrary custom, formerly used by the Bishops acting in their own Names, from being either Popish or otherwise derogatory to the King's Supremacy. Inasmuch as by Provisos in the said Statute the Bishops are still permitted in some cases to use their own Names without any mention at all to be made of the King: as, namely, the Archbishop of Canterbury to grant Faculties and Dispensations; and every other Bishop to make Collations, Presentations, Institutions and Inductions of Benefices, Letters of Orders and Dimissories, &c. under their own names and seals, as by the words of the said Statute doth plainly appear. Which sure would not have been permitted in any case, had the thing itself been by them conceived to have been simply and *de toto genere* either Popish or prejudicial to the Regal Power.

XXVII. Not the third, because they disjoint our former answer, that they might make their advantage of the one piece of it severed from the other. For the strength of the answer, it being copulative, was not to lie in either part alone, but in both together taken jointly; and indeed more principally in the latter part which they slightly put off, than in the former whereat they take advantage. We do not say that the objecting of that Statute is of little moment against us, because it was repealed by Queen Mary, though that Repeal alone is sufficient to make it void and invalid as to all effects in Law, but because, being then repealed, it was never after revived in the Reigns either of Queen Elizabeth, King James, or his Majesty that now is: which showeth that the Act of Repeal, as to the point now in dispute, was by them approved of, and intended to continue in force. And it will thence follow further and most clearly, that, in the judgment of all these wise and religious Princes, there was a great difference between the Papal and the Episcopal Jurisdiction, as they had been either of them exercised within these Realms; and that the Papal was prejudicial to the Regal Power and Supremacy, but the Episcopal was not.

XXVIII. Neither doth that suffice which is put in by way of reply hereunto, to allege that the continuance of the old custom, after the Repeal made, happened either through inadvertency of the State, or by reason of the great Power some

or other of the Bishops ever had with those Princes. For it cannot be doubted but that the State, having before them a precedent of so late and fresh memory as the Statute of 1 Edward the Sixth, would at some time or other within the space of fourscore years, especially there being no want in those days of enough greedy Great-ones and factious Disciplinarians to remind them of it, have taken a time to frame and pass a Bill for the reviving of that Statute, if they had deemed the custom therein forbidden Popish or derogatory either to the King's honour or power, or had not rather found sufficient reason to persuade them that the said Statute was inconvenient, or at leastwise useless. And as for the Bishops, they that understand the condition of those first times well know that, under God and His good Providence, they stood in a manner by the immediate and sole favour of Queen Elizabeth. The Papists on the one side hated them above all other sorts of men, because of their Religion, and their abilities above all other men to defend it. On the other side the Puritans, who envied their power, and some great ones about the Court, who, having tasted the sweet of sacrilege in the times of the two last Kings, thirsted after the remainder of their revenues, complied either with other, for their several respective ends, against the Bishops. Which being so, it had been the foolishlest thing in the world for the Bishops to have used that power or interest they had with the Queen, upon whose favour or displeasure their whole livelihood depended, for the procuring of her consent to any act to be done in favour of them, that malice itself could with any colourable construction interpret either to savour of Popery, or to trench upon the Royal Supremacy: that Queen having, both by her sufferings before and actions after she came to the Crown, sufficiently witnessed to the world her averseness from Popery; and being withal a Princess of a great spirit, and particularly jealous in the point of Prerogative.

XXIX. Whence I think we may, with good reason, conclude, that the ancient custom of the Bishops in making Summonses, &c. in their own Names, after it was by the Act of Repeal, 1 Mary, restored, was continued by Queen Elizabeth and her Successors ever since, without interruption or reviving of the Statute of King Edward, neither out of any inadver-

tency in the State, nor through any importune or indirect labouring of the Bishops, as by the Objectors is weakly presumed, but advisedly and upon important considerations, viz. that the devising of such a new way as is set forth and appointed in the said Statute, was not only a needless thing, (and Laws should not be either made or altered but where it is needful so to do,) but subject also to manifest both inconvenience and scandal.

XXX. That it was altogether needless to change the old Custom may appear by this, that all the imaginable necessity or utility of such a change could be only this, to secure the King by using his Name in their Processes, &c, as a real acknowledgment that their Jurisdiction is derived from him and no other, that the Bishops had no intention in the exercise of their Episcopal Power to usurp upon his Ecclesiastical Supremacy. Which Supremacy of the King, and superiority of his Jurisdiction and Authority over that which the Bishops exercised, being already by so many other ways and means sufficiently secured, it could argue nothing but an impertinent jealousy, to endeavour to strengthen that security by an addition of so poor and inconsiderable regard.

XXXI. The Kings of England are secured against all danger that may accrue to their Regal Power from Episcopal Jurisdiction as it hath been anciently and of later times exercised in this Realm, first, by the extent of their Power over the persons and livelihoods of the Bishops, and over the whole State Ecclesiastical, as in the ancient right of the Crown; which how great it was, may appear by these three particulars.

XXXII. First, the Collation and Donation of Bishoprics, together with the nomination of the persons to be made Bishops, in case they did by their Writ of *Congé d'eslier*^a permit the formality of Election to others, did always belong to the Kings of this Realm, both before and since the Conquest, as in right of their Crown. Our learned Lawyers assure us, that all the Bishoprics of this Realm are of the King's founda-

^a See Stat. 25 Henry VIII. c. 20. Election of Bishops. Repealed by 1 Eliz. c. 1, which revives 25 Henry VIII. c. 20.]
[An Act for the Non-payment of First-fruits to the Bishop of Rome.]
1 Edw. VI. c. 2. [An Act for the

tion;^b that they were originally donative, and not elective; and that the full right of Investiture was in the King, who signified his pleasure therein *per traditionem baculi et annuli*,* by the delivery of a ring and a crosier staff to the person by him elected and nominated for that office. The Popes indeed often essayed to make them elective, either by the Dean and Canons of the Cathedral, or by the Monks of some principal Abbey adjoining; but the Kings still withstood it, and maintained their right as far as they could or durst. Insomuch as King Henry the First, being earnestly solicited by the Pope to grant the election of Bishops to the Clergy, *constanter allegavit*, saith the story, and *verbis minacibus*,† he stoutly and with threats refused so to do, saying he would not for the loss of his Kingdom lose the right of those Investitures. It is true that King John, a Prince neither fortunate nor courageous, being overpowered by the Popes, did by Charter in the seventeenth year of his Reign grant that the Bishoprics of England should be eligible. But this notwithstanding, in the Reign of King Edward the Third it was in open Parliament declared and enacted, that to the King and his heirs did belong the collation of Archbishoprics, &c, and all other Dignities that are of his advowson; and that the elections granted by the Kings his progenitors were under a certain form and condition, viz. that they should ask leave of the King to elect, and that after the election made, they should obtain the King's consent thereunto; and not otherwise.

XXXIII. Secondly, the King hath power, if he shall see cause, to suspend any Bishop from the execution of his office for so long time as he shall think good: yea, and to deprive him utterly of the dignity and office of a Bishop, if he deserve it. Which power was *de facto* exercised both by Queen Mary and Queen Elizabeth in the beginning of their several Reigns upon such Bishops as would not conform to their Religion.

XXXIV. Thirdly, the Kings of England have a great power over the Bishops in respect of their Temporalities, which they

^b Coke, I. Instit. Book ii. [Sect. 137 and 201. Book iii.] Sect. 648.

* See Matthew Paris, pp. 84, 87.

† Not the King, but William of

Warlewast, Bishop Elect of Exeter, sent by him as one of his Agents to Paschal II, in 1103. See Matthew Paris, p. 59, and Eadmer, p. 69.

hold immediately of the King *per Baroniam* ;* and which every Bishop Elect is to sue out of the King's hands, wherein they remained after the decease of the former Bishop during the vacancy, and thence to take his only restitution into the same, making oath and fealty to the King for the same upon his Consecration. Yea, and after such restitution of Temporalities and Consecration, the King hath power to seize the same again into his own hands, if he see just cause so to do. Which the Kings of England in former time did so frequently practise upon any light displeasure conceived against the Bishops, that it was presented as a grievance by the Archbishop of Canterbury and the other Prelates, by way of request to King Edward the Third,^c in Parliament; and thereupon a Statute was made the same Parliament, that thenceforth no Bishop's Temporalities should be seized by the King without good cause. I find cited by Sir Edward Coke,† out of the Parliament Rolls 18 Henry the Third, a Record, wherein the King straitly chargeth the Bishops not to intermeddle in any thing to the prejudice of his Crown, threatening them with seizure of their Temporalities if they should so do. The words are, *Mandatum est omnibus Episcopis qui conventuri sunt apud Gloucestriam* (the King having before summoned them by Writ to a Parliament to be holden at Gloucester) *firmiter inhibendo, quod sicut Baronias suas quas de Rege tenent diligunt, nullo modo praesumant concilium tenere de aliquibus quae ad Coronam Regis pertinent, vel quae personam Regis, vel statum suum, vel statum Concilii sui contingunt, scituri pro certo quod si fecerint, Rex inde se capiet ad Baronias suas, &c.* By which Record, together with other the premisses, it may appear, that the Kings by their ancient right of Prerogative had sundry ways power over the Bishops whereby to keep them in obedience, and to secure their Supremacy from all peril of being prejudiced by the exercise of Episcopal Jurisdiction.

XXXV. Yet, in order to the utter abolishing of the Papal Usurpations and of all pretended Foreign Power whatsoever in matters Ecclesiastical within these Realms, divers Statutes

* Coke, I. Instit. Book ii. Sect. ward III. Stat. iv. cap. 3.

137.

† As above, in note *.

^c Statute for the Clergy, 14 Ed-

have been made, in the Reign of King Henry the Eighth and since, for the further declaring and confirming of the King's Supremacy Ecclesiastical. Wherein the acknowledgment of that Supremacy is either so expressly contained, or so abundantly provided for, as that there can be no fear it should suffer for lack of further acknowledgment to be made by the Bishops in the style of their Courts. Amongst other, first, by Statute made 25 Henry VIII, cap. 19, upon the submission and petition of the Clergy, it was enacted that no Canons or Constitutions should be made by the Clergy in their Convocation without the King's Licence first had in that behalf, and his Royal Assent after; and likewise that no Canon, &c, should be put in execution within the Realm, that should be contrariant or repugnant to the King's Prerogative Royal, or the Customs, Laws, or Statutes of the Realm. Then, secondly, by the Statute of 1 Elizabeth, cap. 1, all such Ecclesiastical Jurisdictions, Privileges, Superiorities, and Preeminences as had been exercised or used, or might be lawfully exercised or used by any Ecclesiastical Power or Authority were declared to be for ever united and annexed to the Imperial Crown of this Realm. And, thirdly, it was also in the same Statute provided, that the Oath of Supremacy, wherein there is contained as full an acknowledgment of the King's Ecclesiastical Supremacy as the wit of man can devise, should be taken by every Archbishop and Bishop, &c, which hath been ever since duly and accordingly performed.

XXXVI. Lastly, from receiving any prejudice by the Bishops and their Jurisdiction, the Regal Power is yet further secured, by the subordination of the Ecclesiastical Laws and Courts to the Common Law of England, and to the King's own immediate Courts. For although the Ecclesiastical Laws be allowed by the Laws of this Realm, and the proceedings in the Ecclesiastical Courts be by the way of the Civil, and not of the Common Law, yet are those Laws and proceedings allowed with this limitation and condition, that nothing be done against the Common Law, whereof the King's Prerogative is a principal part, nor against the Statutes and Customs of the Realm. And therefore the Law alloweth Appeals to be made from the Ecclesiastical Courts to the King in Chancery; and in sundry cases, where a cause dependeth before a Spiritual Judge, the

King's prohibition lieth to remove it into one of his Temporal Courts.

XXXVII. Having so many several ties upon the Bishops to secure themselves and their Regal Authority from all danger that might arise from the abuse of the Ecclesiastical Power and Jurisdiction exercised by the Bishops in their Courts, by the ancient prerogative of their Crown, by the provisions of so many Statutes and Oaths, by the remedy of the Common Law, the Kings of England had no cause to be so needlessly cautelous as to be afraid of a mere formality, the style of a Court. Especially considering the importance of the two reasons expressed in the Statute of King Edward, as the only grounds of altering that style, not to be such as would counter-vail the inconvenience and scandal that might ensue thereupon.

XXXVIII. For whereas it was then thought convenient to change the style used in the Ecclesiastical Courts, because it was contrary to the form used in the Common Law Courts within this Realm, (which is one of the reasons in the said Statute expressed,) it might very well upon further consideration be afterwards thought more convenient for the like reason to retain the accustomed style, because otherwise the form of the Ecclesiastical Courts would be contrary to the form of other Civil Law Courts within the Realm, as the Admiralty, and Earl-Marshall's Court, and of other Courts of the King's grant made unto Corporations; with either of which the Ecclesiastical Courts had a nearer affinity than with the King's Courts of Record, or other his own immediate Courts of Common Law. Nor doth there yet appear any valuable reason of difference, why inconformity to the Common Law Courts should be thought a sufficient ground for the altering of the forms used in the Ecclesiastical Courts; and yet the like forms used in the Admiralty, in the Earl Marshal's Court, in Courts Baron, in Corporation Courts, &c, should, notwithstanding the same inconformity, continue as they had been formerly accustomed without alteration.

XXXIX. If any shall allege, as some reason of such difference, the other reason given in the said Statute, viz, that the form and manner used by the Bishops was such as was used in the time of the usurped power of the Bishop of Rome,

besides that therein is no difference at all, for the like forms in those other aforesaid Courts were also in use in the same time, there is further given thereby great occasion of scandal to those of the Church of Rome. And that two ways : first, as it is made a reason at all : secondly, as it is applied to the particular now in hand. First, whereas the Papists unjustly charge the Protestant Churches with schism for departing from their communion, it could not but be a great scandal to them, to confirm them in that their uncharitable opinion of us, if we should utterly condemn any thing as unlawful, or but even forbid the use of it as inexpedient, upon this only ground or consideration, that the same had been used in the times of Popery, or that it had been abused by the Papists. And truly the Puritans have by this very means given a wonderful scandal and advantage to our adversaries, which they ought to acknowledge and repent of : when, transported with an indiscreet zeal, they have cried down sundry harmless Ceremonies and Customs as superstitious and antichristian, only for this, that Papists use them. Whereas godly and regular Protestants think it agreeable to Liberty, Charity, and Prudence, that in appointing Ceremonies, retaining ancient Customs, and the use of all other indifferent things, such course be held, as that their moderation might be known to all men ; and that it might appear to their very adversaries, that wherein they did recede from them or any thing practised by them, they were not thereunto carried by a spirit of contradiction, but either cast upon it by some necessity of the times, or induced for just reasons of expediency so to do.

XL. But then, secondly, as that reason relateth to the present business in particular, the scandal thereby given is yet greater. For we are to know, that when King Henry the Eighth abolished the Papal Power, resuming in his own hand the ancient rights of the Crown, which the Bishops of Rome had unjustly usurped, he took upon himself also that Title which he then found used by the Bishops of Rome, but which none of his progenitors, the Kings of this Realm, had ever used, of being the Supreme Head of the Church within his Dominions. This Title continued during the Reign of his son King Edward the Sixth, by whom the Statute aforesaid was made, and is mentioned in that very Statute. Now albeit by

that Title or appellation was not intended any other thing than that Supremacy Ecclesiastical which the Kings of this Land have, and of right ought to have, in the governance of their Realms, over all persons and in all causes Ecclesiastical as well as other, and which is in the Oath of Supremacy acknowledged to belong unto them, yet the Papists took scandal at the novelty thereof, and glad of such an occasion, made their advantage of it, to bring a reproach upon our Religion: as if the Protestants of England were of opinion, that all Spiritual Power did belong unto the King, and that the Bishops and Ministers of England had their whole power of Preaching, Administering the Sacraments, Ordaining, Excommunicating, &c, solely and originally from the King, as the members of the body live by the influence which the head hath into them. Upon their clamours, that Title of Supreme Head and Governour was taken into further consideration in the beginning of Queen Elizabeth's Reign. And although that style in the true meaning thereof was innocent and defensible enough, yet, for the avoiding of scandal and cavil, it was judged more expedient that the word 'Head' should thenceforth be laid aside, and the style run only 'Supreme Governour,' as we see it is in the Oath of Supremacy and elsewhere ever since, without mentioning the word 'Head,'* according to the intimations given in the Queen's Injunctions and elsewhere in that behalf. And it seemeth to me very probable, that for the same reason especially, besides those other reasons already given, it was thought fitter by her then, and by her successors hitherto, that the Bishops in all their Ecclesiastical Courts and proceedings should act in their own Names as formerly they had done, than that the Statute of King Edward should be revived, for doing it in the King's Name. For the sending Processes, &c, in order to Excommunication and other Church-censures, in the King's Name, would have served marvellously to give colour, and consequently strength, in the apprehension at least of weaker judgments, to that calumny wherewith the Papists usually asperse our Religion, as if the Kings of Eng-

* In the Form of bidding the Prayers in Q. Elizabeth's Injunctions, 1559, 'Supreme Governour of this Realm, as well in Causes Ecclesiastical as Temporal.' In that given

in the Injunctions of Edward VI, 1547, 'Supreme Head immediately under God of the Spirituality and Temporality of the same Church.'

land took themselves to be proper and competent judges of censures merely spiritual in their own persons, and the Prelates accordingly did acknowledge them so to be.

Thus have I shown, to the satisfaction, I hope, of the ingenuous and unprejudiced Reader, that Episcopacy is no such dangerous creature either in the opinion or practice, as some would make the world believe it is ; but that the King's Crown may stand fast enough upon his head, and flourish in its full verdure, without plucking away or displacing the least flower in it, notwithstanding Episcopacy should be allowed to be of Divine Right in the highest sense, and the Bishops still permitted to make their Processes in their own Names, and not in the King's. By this time, I doubt not, all that are not wilfully blind (for who so blind, as he that will not see?) do see and understand by sad experience, that it had been far better both with King and Kingdom than now it is, or, without God's extraordinary Mercy, is like to be in haste, if the enemies of Episcopacy had meant no worse to the King and his Crown, than the Bishops and those that favoured them did.

A Postscript to the Reader.

WHEREAS in my Answer to the former of the two Objections in the foregoing Treatise, I have not any where made any clear discovery what my own particular judgment is concerning the *Jus Divinum* of Episcopacy in the stricter sense, either in the affirmative or negative; and for want of so doing, may perhaps be censured by some to have walked but haltingly, or at leastwise with more caution and mincing than became me to do in a business of that nature, I do hereby declare,

First, that, to avoid the starting of more Questions than needs must, I then thought it fitter, and am of the same opinion still, to decline that Question, than to determine it either way: such determination being clearly of no moment at all to my purpose, and for the solving of that Objection.

Secondly, that nevertheless, leaving other men to the liberty of their own judgments, my opinion is, that Episcopal Government is not to be derived merely from Apostolical Practice or Institution, but that it is originally founded in the Person and Office of the Messiah, our Blessed Lord Jesus Christ. Who, being sent by His Heavenly Father to be the great *Apostle, Shepherd, and Bishop* of His Church, and *anointed* to that Office, immediately after His Baptism by ^{1 S. Pet. ii. 25.} John *with Power and the Holy Ghost*, descending then upon ^{Acts x. 37,} Him *in a bodily shape*, did afterwards, before His Ascension ^{38.} into Heaven, send and impower His holy Apostles, giving them ^{S. Luke iii. 22.} the Holy Ghost likewise as His Father had given Him, in like manner as His Father had before sent Him to execute the ^{S. John xx. 21.} same Apostolical, Episcopal, and Pastoral Office for the ordering and governing of His Church until His coming again; and so the same office to continue in them and their Successors, unto the end of the world. This I take to be so clear, from ^{S. Matt. xxviii. 18-} these and other like Texts of Scripture, that if they shall be ^{20.}

diligently compared together, both between themselves, and with the following practices of all the Churches of Christ, as well in the Apostles' times as in the purest and primitive times nearest thereunto, there will be left little cause why any man should doubt thereof.

Thirdly, that in my Answer to the latter Objection I made no use at all, nor indeed could do, of the Opinion of the Reverend Judges in that point, nor of His Majesty's Proclamation grounded thereupon. For although the Proclamation had been exstant ten years before this task was imposed upon me,* yet I had never seen nor so much as heard of the same in all the time before, nor yet in all the time since, till about ten days ago I was advertised thereof, when these papers were then going to the press. Which, since they give so much strength to the main cause, and so fully avoid the Objection, I have followed the advice of some Friends, and caused them to be printed herewithal.

* The Proclamation was issued in the Subject in the same month in August, 1637. Sanderson received 1647.
the King's instructions to write on

THE history of the Work, for which the following Preface was written, will be conveniently placed before the Reader in an extract from Dr. Elrington's Life of Archbishop Ussher, p. 305.

‘ It had originally been composed at the request of Lord Strafford. On the breaking out of the disturbances in Scotland in 1639, Sir George Radcliffe applied to Dr. Bernard for the Primate's opinion on the subject, which was immediately sent in writing ; and no sooner did the Primate arrive in Dublin than Lord Strafford called upon his Grace to make public his opinions, which he accordingly did, by preaching two Sermons before the State in Christ Church, on the Text: *I counsel thee to keep the King's commandment, and that in regard of the Oath of God.* Lord Strafford subsequently communicated to the Lord Primate not only his own wish, but that of the King, that he should either print these Sermons or write a Treatise on the subject. He preferred the latter, and brought the Treatise over with him to England, when it was submitted to the King, “ who, having read the book, signified his will and pleasure that it should be printed, to the end that all his beloved subjects might receive the like satisfaction from the same as himself had done.” The Archbishop immediately sent the copy to London, that it might be printed ; but the person to whom it was entrusted, either through carelessness or design, lost the manuscript, and it never was recovered. The Archbishop sought in vain for the original among his numerous papers, and never ceased to express his regret at the loss of a work upon which he had spent so much labour. After his death his executors were more successful, and discovered the original in the handwriting of the Archbishop ; but it was not a time to publish such a Treatise, and they were obliged to wait for a more favourable opportunity. Immediately after the Restoration, the Archbishop's grandson, James Tyrrell, published the work, with a Dedication to Charles II, and a learned Preface by Bishop Sanderson.’

THE
POWER COMMUNICATED BY GOD
TO THE PRINCE,
AND THE
OBEDIENCE REQUIRED OF THE SUBJECT.

BRIEFLY LAID DOWN, AND CONFIRMED OUT OF
THE HOLY SCRIPTURES,
THE TESTIMONY OF THE PRIMITIVE CHURCH,
THE DICTATES OF RIGHT REASON, AND
THE OPINION OF THE WISEST AMONG THE HEATHEN
WRITERS.

By the Most Reverend Father in God,
JAMES, late Lord Archbishop of ARMAGH,
and Primate of all IRELAND.

Faithfully published out of the Original Copy, written with his own hand,
by the Reverend Father in God,

ROBERT, Lord Bishop of LINCOLN,
WITH HIS LORDSHIP'S PREFACE THEREUNTO.

PROV. xxiv. 21.

*My son, fear thou the Lord and the King, and meddle not with them that
are given to change.*

LONDON,

PRINTED FOR ANNE SEILE, OVER AGAINST ST. DUNSTAN'S CHURCH
IN FLEET-STREET. 1661.*

* In Quarto. 'The Second Edition Corrected' appeared in 1683, in Octavo.

THE
PREFACE TO THE READER.

THE Reader is desired to take notice, that this Treatise was written by the Reverend and Learned Author, at the special command of our late gracious Sovereign, of blessed memory, King Charles I, about the time when those unhappy distempers, which had been a good while before by the endeavours of some unquiet spirits secretly working underhand, and not long after broke out most desperately into a bloody and unnatural war, did first begin to appear openly in our Land. As soon as the Treatise was finished, the Author caused a copy thereof to be fairly transcribed, and, with a Dedicatory Epistle prefixed thereunto, to be presented to his Majesty, who, having read the Book, signified his will and pleasure that it should be printed, to the end that all his beloved Subjects might receive the like satisfaction from the same as himself had done. Whereupon the Author, being not then at London himself, sent up the aforesaid transcript Copy thither, to the intent it should be there printed: which notwithstanding, whether by the negligence or unfaithfulness of the party to whose care and trust it was committed, was not done; but the Copy itself finally lost, or pretended to be lost, and so that intent frustrated. The Original Copy of his own handwriting being in the mean time by the Author, supposing perhaps there would be little use of it after it was printed, neglectedly laid aside; and so at length, mingling with some other papers, it became so buried amongst those heaps of books and writings, whereof he had good store, that it never was his hap to meet with it again all his lifetime; but gave it over for lost also, as well as the Transcript aforesaid, to his great grief, as he oft expressed to those that were about him. Yet was it not indeed lost, but only mislaid, as after his death appeared. When they, to whom it appertained to take

an inventory of what he left behind him, in sorting his papers which lay disorderly and confusedly, some in one place of his study, some in another, amongst the rest found the first Original Copy of this Treatise, from beginning to end, all written with his own hand; which they looked upon as a choice jewel, *quantivis pretii κειμήλιον*, and took care accordingly to preserve it, with an intention, as in duty for the performance of the will of the Dead they held themselves obliged to do, when the times would bear it, to publish it to the world, for the common benefit of all those that were able to understand it, and willing to make a good use of it.

II. But as the times then were, the whole Nation being enslaved to the will and tyranny of a monstrous Usurper, it could not be either safe or seasonable so to do: in so far that for any person only to have been known to have had such a piece in his custody, had been crime enough to have cast him under the displeasure of the most merciless tyrant, and withal the most perfect dissembler in the world. And the Work itself, had it been once discovered where it lay, had been sure either to have been suppressed, and so to have perished for ever, or, which is no less probable, but had been much worse, to have been perverted, quite contrary to the pious and loyal intention of the Author, in being made instrumental to the support of his power, who having unrighteously invaded the sovereignty, was then in actual possession of the sword. For by this time the flatterers of that great Tyrant had learned by a new device, upon the bare account of Providence, without respect to the justice of the title, the only right and proper foundation, to interpret and apply to his advantage whatsoever they found either in the Scriptures or in other writings delivered concerning the power of Princes or the duty of subjects, profanely and sacrilegiously taking the name of that holy Providence of God in vain, and using it only as a stalkinghorse to serve the lusts and interests of ambitious men.

III. When, by the death of that Tyrant, it was hoped the black cloud that hanged over us would scatter, yet was the coast for all that, never a whit the clearer; but the darkness rather thickened upon us; and the danger of bringing any thing of this nature to light, was much greater than before. The tyranny still continued, though under various shapes,

Proteus-like, ever and anon changing Forms: Mock-Parliaments, and other (what shall we call them?) things, for which it was hard to find names to distinguish them by. The very name of Monarchy meanwhile decried and exploded as a devoted and execrable thing; and, to make short, every thing posting on desperately towards anarchy, confusion, and ruin.

IV. Thus lay we *in darkness and in the shadow of death*, heartless and hopeless: when behold, Θεὸς ἀπὸ μηχανῆς, the eternal God, who in the beginning of the Creation *caused light to shine out of darkness*, to manifest at once the mightiness of His power, and the riches of His mercy and compassion, in looking upon the miseries of a foolish and unthankful People, that had so highly provoked Him, appeared gloriously in the Mount, and caused the light of His favourable countenance once more to shine upon us in the midst of our greatest confusions. And all this done, since men have talked so much of Providence, who, so far as appeareth by their actions, believe nothing of it, by a special hand of Providence indeed; so signal and visible, considered in all its circumstances, as if the Lord had purposely stretched out His hand to convince the bold Atheists of these times, that verily there is such a thing as they call Providence, and that *doubtless there is a God that judgeth the earth*.

V. This so blessed and unexpected a change, *mutatio dextræ Excelsi*,* amongst many other good effects tending to the happiness of this Nation, if we would but keep ourselves quiet and be thankful, hath, by removing the late unhappy obstructions, made a way for Truth and Reason, which before durst scarce peep out without a disguise, to adventure abroad openfaced. Which opportunity gave me the perusal of this Book, brought to my hands by a gentleman of great hopes and ingenuity,† and grandchild to the said Author, in whose custody it then was. Upon the perusal whereof I found it so full of Truth and Reason, and so every way answering that expectation which the known abilities of so learned an Author had beforehand raised in me, that, in order to the public

* Ps. lxxvii. 10. in the Vulgate, *Et dixi, Nunc coepi: hæc mutatio dextræ Excelsi*.

† James Tyrrell, son of Sir Ti-

mothy Tyrrell, Knight, of Shotover House near Oxford, by Elizabeth, the only child of Abp. Ussher. See above, p. 193.

benefit and for preservation of true Christian Loyalty in the hearts of all my fellow-subjects, I endeavoured what in me lay to help forward the impression. It is a thing indeed very much desired by men piously zealous of the public peace, that, by the prudent care of those that are in authority, some timely and effectual provisions were made for repressing the exorbitant licentiousness both of the Press and Pulpit, and the suppressing of seditious sermons and pamphlets, by means whereof thousands of wellmeaning souls become poisoned in their judgments, have their affections soured towards their Governors in whom they ought to rejoice, and are themselves apt to be misled into the foulest practices of disobedience and rebellion ere they be aware. In the mean time, until some further order be taken herein, it is but needful that such Treatises of this nature as carry weight and evidence with them, should be published to the world for the settling of men's judgments and consciences aright, as concerning the great duties of Christian Obedience and Subjection, and for the preventing of such mischiefs as must unavoidably ensue, where those so necessary points are either misrepresented by the leaders, or misunderstood by the people.

VI. For the attaining of which ends I have great reason to believe that what is here presented to view, may be as effectually conducive as any thing that hath been written or probably can be written, at least in this present age, by any other hand, whether we respect the Work or the Author. In the Work itself, the diligent and impartial Reader, that will but bestow his hours so profitably as to take it all before him from the beginning to the end, besides the great variety of learning and authorities which he shall meet withal all along, will easily find all to the full made good in the Treatise, whatsoever is promised in the Title. And then for the Author himself, it is not unknown to the world what great esteem was had of his learning and moderation, and what great respect and reverence was paid to his person and judgment by the generality even of those men, whose either judgments or interests swayed them to entertain other persuasions than he had in sundry points, as well concerning the Ecclesiastical as Civil Government. Which truly, as it is a very great advantage in itself, for in this case, as in some other things, the old saying holdeth, *Duo cum*

faciunt idem, non est idem, and many times the value the Patient setteth upon the Physician advanceth the cure almost incredibly beyond what the virtue of the ingredients would have done without it, so this Reverend Primate had that advantage in a very great measure, above almost all other men in the world in his time. If some men I could name should write of the Power of Kings, and the Duty of Subjects, with the pen and art of men and Angels, with all the evidence of Truth, and the greatest strength of Reason imaginable, it would work no more upon one sort of men in this generation, than a charm would do upon a deaf adder. Their writings would be slighted and thrown aside, decried and condemned all with a breath, without the reading of any more than the bare title page. Of so much greater force are names than things, for the heightening or lessening the authority of men's writings, with such as have suffered themselves to be engaged in parties and factions, or whose judgments are forestalled with prejudices or partial affections. But this Reverend Author, besides his great abilities in all kind of profitable and polite Learning, his vast reading, and readiness to make use of what he had read upon all occasions, had also by his piety and regularity of life, by his meekness and moderation, by his humble, affable, and free letting himself forth to all converses, together with his facility and willingness to hold fair compliances and correspondencies with those he presently conversed with, gained to himself such a general reputation with all parties, that his very name carried authority with it, and awed those very men into a reverent estimation of his person and judgment, who were yet too stiff to submit it to the judgments of any person but themselves.

VII. Of the Author, whose worth and abilities are so well known to the world both at home and abroad, I shall not need to say any more; nor of his other Works, which, without me, will sufficiently *praise him in the gates*. All the account I am to give is of this present Work, which had appeared sooner in public, but that it seemed necessary to have it fairly transcribed once more, and the Transcript compared with the Original, before it were sent to the press; and that for two reasons. The one, because the *αὐτόγραφον*, or first Copy, being close written with many additions, interlinings, and references, and

those sometimes very obscure and scarce discernible, almost in every page, would so have puzzled and perplexed the workmen at the press, that it had not been possible for them to have carried on the work, without much difficulty and disturbance to themselves, and no less injury and trouble to the Readers, through the multitude of mistakings and misplacings of words, sentences, and quotations. The other, that the Original Copy might not in the whole, or in any part thereof be soiled, torn, scattered, or lost, while it was in the printer's or corrector's hands; but that the same, being preserved whole and entire, might remain as a record, ready to be produced and shown under the Author's own hand, whensoever it should be required, either to justify the integrity of this publication, or to satisfy any person that may suspect forgery therein, or upon any other just occasion otherwise. For posthumous writings, because many of them are such, lie all of them under the suspicion of being spurious and supposititious, or at leastwise of being moulded, interpolated and condit to the gust and palate of the publisher. To discharge myself and all that have any hand in this publication from all such suspicion, and clear to the world our innocency in that behalf, we thought ourselves obliged to give better security than our own bare word: that if any doubt should be made of our fidelity herein, recourse might be had to the Author's undoubted Original Copy, reserved in his grandchild's hand for that purpose, for better satisfaction herein.

VIII. Now the main design of the whole Work is that which is contained in the latter part thereof, concerning the Duty of Subjects: That all the King's liege people might know they were in their Consciences, both by the Law of God and their own native condition, bound to hold close to their allegiance and obedience to the King's most excellent Majesty, notwithstanding all the attempts that were then endeavoured to be made upon their Loyalty, under the softer notions of Religion and Liberty; or those fiercer assaults, which the face of affairs then threatened, and soon after ensued, of plunder and undoing. But forasmuch as the duty which God requires of Subjects is grounded upon that power which the same God hath committed to Sovereigns, as St. Paul, Rom. xiii. 1, &c, clearly deduceth the obligation of that duty from God's or-

daining that power, and then men will 'faithfully serve, honour, and humbly obey the King, according to God's blessed Word and Ordinance,' when they shall have duly considered whose authority he hath, he saw it most agreeable to the laws of good method, that he should first establish the Prince's power upon the right bottom, and thence demonstratively infer and enforce the Subject's duty as a necessary consequence thereof: like *a wise masterbuilder*, laying the groundwork sure, that the structure might rise the firmer. For upon the right stating of these two Questions concerning the Power of Sovereign Princes, what it is, and whence it is, (which how exactly it is performed in the former part of this Treatise, I leave the intelligent Reader to judge,) dependeth the true decision of all such emergent differences and controversies as may arise at any time between Princes and their Subjects, and consequently the safety and security of both; and, consequently to those, the peace and happiness of all Kingdoms, States, and Commonwealths.

IX. By what hath been said, the Reader will easily perceive that it is a matter of very great and universal concernment, for both Prince and People, that is, all Mankind, are concerned in it, that the two Points insisted upon in this Treatise should be well known and rightly understood. And therefore I cannot sufficiently wonder at the inconsiderateness, or perverseness rather, of those men, if any such shall be found, (and by the pulse of the times, and other indications, it is no hard matter to foresee there will be found enough such,) as will take offence at the publishing hereof, or indeed of any thing else that can be written, although with never so much truth and soberness in this argument. But yet they have not all the same pretences, some quarrelling most at the persons, others at the thing itself, and some perhaps at the very circumstance of time, according as they are led along by their several passions or interests. 1^o. Some, who look upon the Church with an evil eye, forsomuch as not this present Work only, but most of what hath been written in this kind heretofore, hath been written by the Bishops or other Episcopal Divines, will be ready to give out, and that, according to their old wont, with confidence enough, that it is not either the love of Truth, or zeal of the honour of Kings, but the busy for-

wardness of some flattering, ambitious Churchmen, the more to ingratiate themselves with the higher powers, in hope to get better preferments thereby, that hath brought forth into the world so many discourses and treatises concerning the Power of Sovereign Princes, and the Obedience of Subjects. 2°. Others, it may be, will allege that it is not for Divines at all to meddle in these matters, whereof they are not competent judges, nor do they come within the compass of their sphere: they ought to be left to the cognizance and determination of Statesmen and Lawyers, who best understand the Constitution of the several Governments, and the force and effect of the Laws of their own several respective Countries, and are therefore presumed to be best able to judge, the one, by the Constitution, in whom the Sovereignty resideth, and the other, by the Laws, how that Sovereignty is bounded and limited in the exercise thereof. 3°. Besides these, whose quarrel is chiefly against the persons, there is a generation of men wholly disaffected to the thing itself; men of popular spirits, who have so far espoused certain false principles, apt to engender sedition, and utterly destructive of Kingly Government, that they will not easily be drawn off of them again. These, taking it for an undeniable truth, which if examined to the bottom will be found so far remote from Truth, that it is not within the possibility of being rendered so much as probable by any other medium, than that it hath been countenanced by some great Names,—that the Original of all Government is from the People, and that the Power which Kings and Princes have, was derived unto them from the People by way of pact or contract,^a—would thence infer, that Princes can therefore claim no more Power as of right belonging unto them than the People shall think fit to entrust them withal: which the People may from time to time, and at all times, as they shall see cause in order to the public weal and safety, either enlarge or restrain at their pleasure.* Whence it will further follow, that the Prince's Power, being but a precarious and ambulatory Power, subject to be varied according to the

^a Vid. Sect. 15. in Praef. [Viz. p. 20 below.]

^a [Quare si populus] a cujus voluntate jus regnandi proficiscitur,

[voluntatem mutet, iis qui nondum nati sunt, ut quibus jus quaesitum nondum est, nullam facit injuriam.] Grotius de Jure Belli, II. iv. 10.

exigency of times and occasions, is not capable to be comprized within any fixed Rules; neither can any thing be written thereof with any certainty. 4°. Nor is it improbable, lastly, that some, willing to play such small game rather than sit out, will take exceptions at the ill timing of this publication. That discourses of this nature might possibly, at the time when these things were first written by the Primate, have been of some good use towards the discovery of the iniquity and hypocrisy of the Mystery of Rebellion which had then begun to work, the giving a stop, or check at least, to the further spreading thereof, and the keeping of the King's good Subjects in their right wits, from falling into that apostasy from their Faith and Allegiance to his Majesty, into which multitudes of them, inveigled by false teachers and specious pretences, were afterwards drawn. But now that by the merciful Providence and good hand of God upon us, the King is so happily restored to his just rights, and the Nation thereby to their ancient Laws and Liberties; his Supremacy so generally owned and acknowledged, and that under the sacred and religious tie of a solemn Oath all over the Realm; the People of the three Kingdoms reduced to their former obedience, and the affairs both of Church and State put into a good forwardness of a happy and orderly resettlement, as there seemeth to be little need, so there will be made little use of this or any other Writings in this kind.

X. To all which, and whatsoever other Objections can be made hereagainst, it shall suffice to oppose, as a general and satisfactory answer, that one short passage of St. Paul, Tit. iii. 1, *Put them in mind to be subject to Principalities and Powers, to obey Magistrates, to be ready to every good work.* Doubtless the holy Apostle, who was so far from being a flatterer or manpleaser, from seeking himself, his own glory, or other temporal advantage, from making merchandize of the holy Word of God, or *handling it deceitfully for filthy lucre's sake*, that very often in his Epistles he utterly disclaimeth such base, unworthy practices, as altogether unbecoming the servant of Christ, appealing to the consciences of those that knew him, and calling in God also to witness with him, how clear he stood in that behalf, would never have given it in

Gal. i. 10.
1 Thess. ii.
5, 6.

charge to Titus, or any other Bishop or Minister of the Gospel, to preach such doctrine to the people of God, had there been any thing of flattery or secular design in so doing. Nor were the times then such as could reasonably tempt any man to such flattery with hopes of preferment, (and what man, not forsaken of his wits, would play the parasite for nothing?) when as neither the Church had yet any settled revenue, nor was there at that time so much as any one Christian Prince in the universal world. It is evident enough from sundry intimations scattered in all his Epistles, especially those to Timothy and Titus, that the reasons of the Apostle's injunction, without the least reflection upon his own or their terrene interests, were drawn from topics of more sublime consideration. The Ordinance of God, the discharge of Duty, and a good Conscience, the advancement of the Gospel, and the honour of the Christian Religion. Subjection and Obedience to Superiors is certainly no small part of the Christian's Duty: a debt so just, and so well known to be so, that the Apostle supposeth none could be utterly ignorant of: only, because men generally are not so forward to perform known duties as they should be, he saw it needful they should be sometimes, and upon all just occasions, admonished and reminded thereof by their Teachers.

XI. And then, sure, if those Teachers be Divines, (and I think no sober man will deny Titus, and others by him assumed *in partem curae*, to have been such,) the pressing of the aforesaid Duties can be no unfit theme for Divines to busy themselves in, unless we will affirm that St. Paul meant to put a task upon them altogether eccentric from their function and calling. It appertaineth to the Minister's office, not only to declare the Will of God to the people *circa res agendas*, as well as *credendas*, to the intent they may frame their lives and actions accordingly, but also to stir up their *minds by way of remembrance*, and to charge upon their consciences the performance of every duty they owe either to God or man. Which is needful to be done in the particulars we now treat of, viz. Subjection and Obedience to lawful Authority, with as much diligence, vigour, and instance, as almost in any other particular duty whatsoever: because, through the corruption

of nature and the pride of men's spirits, the greatest part of Mankind are *tarda nomina*,* such Debtors as will abide calling on, not willing to pay more than needs must, nor that but with some grudging. But how shall the Minister be able to do this with authority?^b or, how shall he secure himself and his endeavours the mean while from scorn and contempt, if he shall not be able first competently to convince the persons he is to deal withal, that such Subjection and Obedience is their bounden duty? For vain it is to think that empty words should have any strong operation upon the wills and affections of men in any thing required to be done of them, without representing to their understandings somewhat to make the proposal seem reasonable. And then, forasmuch as the obligation to those Duties in Inferiors ariseth from, and is commensurate unto, that Power wherewith Superiors are entrusted, as hath been partly already shown, the most proper and rational course that can be taken to persuade men effectually to the performance of those Duties, is by informing them rightly and clearly what that Power is, and whence it is derived.

XII. True it is, that for the more ease of the Governors, and better satisfaction of the People, in securing their properties, preserving peace among them, and doing them justice, the absolute and unlimited Sovereignty which Princes have by the Ordinance of God, hath at all times and in all Nations been diversely limited and bounded in the ordinary exercise thereof, by such Laws and Customs as the supreme Governors themselves have consented unto and allowed. As with us in England there are sundry cases wherein a Subject, in maintenance of his right and property, may wage Law with the King, bring his Action and have Judgment against him in open Court; and the Judges in such case are bound by their Oaths and Duties to right the Party according to Law, against the King as well as against the meanest of his Subjects. And it is very true also, that where any Controversy ariseth about *meum* and *tuum*, or Suit groweth between the King and one or more of his Subjects, (as it may be about some Tenure,

* ? Seneca de Beneficiis, v. 22. Multi sunt, qui nec negare sciunt
 quod acceperunt, nec referre: qui
 nec tam boni sunt quam grati, nec
 tam mali quam ingrati, segnes et
 tardi, lenta nomina, non mala.
^b Μετὰ πάσης ἐπιταγῆς. Tit. ii.
 15.

Grant, Privilege, Usage, or other thing,) the debating and determining of every such doubt or controversy belongeth to the learned Lawyers and reverend Judges, who are presumed to be best skilled in the Laws and Customs of the Land, as their proper study, wherein they are daily conversant; and not to Divines, who, as Divines, are no competent judges in such matters, nor do they come within the compass of their sphere. All this therefore must be granted; yet is not the Divine hereby wholly excluded from having his part, and that proper and peculiar to him, even in the nicest Law Cases, so far as they relate to Morality and Practice in point of Conscience. For human Laws cannot be the adequate measure of Moral Duty in the judgment of any reasonable man, (for Atheists, though masters of never so much Reason, I reckon not of as reasonable men,) the Laws being finite and fixed, but the circumstances of men's actions, on which their lawfulness and unlawfulness chiefly dependeth, various and infinite. The Laws allow (and of necessity so must) many things to be done, which an honest man would be loath to do; and afford sundry advantages, which one that feareth God, and maketh conscience of his ways, ought not to take. As then, when the whole business under consideration is perfectly stated, with all the material circumstances thereunto belonging, as to matter of fact, if any doubt arise what in such case may be done or not done in point of Law, wise men use to take the advice and direction of their learned Counsel skilled in the Laws: in like manner, if any doubt arise, what in the same Case so stated as before is fit to be done or not done in point of Conscience, whence can any man seek for resolution and instruction so properly and rationally, as from the mouth of a learned, grave, and sober Divine? *The Priest's lips should preserve knowledge, and they should seek the Law at his mouth.*

Mal. ii. 7.

XIII. Whether what I have now last insisted upon will be taken for a digression or not, is at the Reader's courtesy, and as he will interpret it. To me it seemed pertinent enough to the Objection, and somewhat needful also to be taken notice of, in regard of the great clamour raised against Churchmen for thrusting their sickle in every man's corn, by those men, who, it seemeth, have not considered, or not with an equal eye, how busily and magisterially men of other Professions

adventure into the world their bold dictates, not only in matters concerning Church Discipline and Government, but even in the deepest points of Polemical and School Divinity. But otherwise, and as in relation to the present Treatise, I confess it might well enough have been spared. Wherein the reverend Author, without meddling with these punctilios of the Law, undertaketh no more but to declare and assert the Power of Sovereign Princes, as the godly Fathers and Councils of the ancient Catholic Church from the evidence of Holy Scripture, and the most judicious Heathen Writers by discourse of Reason from the light of Nature, have constantly taught and acknowledged the same: as to the unprejudiced Reader by the perusal of the Book itself will easily appear. And it must be a strange perverseness of spirit in any person, whosoever he be, that shall affirm such an undertaking by a Divine to be a stretching himself beyond the lines and measure of his calling.

XIV. And as for the Sovereignty, be it as it will be with other States and Commonwealths in regard of their Constitution, to us of this Nation it is so evident where it resideth, that we need not to have recourse to Statesmen or Lawyers for information in that point. The known Laws of the Land have declared it so fully, and particularly the Oath of Supremacy expressed it so clearly, that any man of ordinary capacity may understand it as well as the deepest Statesman in the world. That which some talk of, a mixed Monarchy, (which, by the way, is an arrand bull, a contradiction *in adjecto*, and destroyeth itself,) and others dream of, such a coordination in the Government* as was hatched amidst the heat of the late Troubles, but never before heard of in our Land, are in very truth no better than senseless and ridiculous fancies. Which although some men have framed to themselves out of their own vain imaginations, made them as gay as they could, and then set them up as Idols to be adored by the populace, always apt to admire what they understand not; yet are they not able to stand up in the presence of that Oath, but must fall flat to the ground before it, as Dagon before the Ark, and be broken all to pieces. Are not the words of the Oath, ‘That the King’s Highness is the only Supreme Governour of this Realm, &c,’ as

* See De Obligatione Conscientiae, Praelect. vii. §. 11.

plain and obvious to every man's understanding as the wit of man can devise? and ought not every Oath to be sworn and taken, according to the plain and common sense and understanding of the words wherein it is expressed and administered? It were an inexcusable tyranny in the State, to the ensnaring of the Consciences of many thousands of wellmeaning and loyal Subjects, to require that Oath to be taken in such a form of words, if it were to be understood in any other sense than those words literally import; and that sense not made known to them by some public Declaration or other. For then how could such an Oath be sworn and taken, as
 Jer. iv. 2. every Oath ought to be, in *truth, and judgment, and righteousness?*

XV. As for those, in the next place, that would derive the Original of all Government from the People by way of Pact or Contract, it may suffice to say that they take that for granted which never yet was proved, nor, I dare say, will ever be proved while the world standeth, either from Scripture, Reason, or History. *Jus gladii*, the right and power of the sword, which is really the Sovereign Power, belongeth, we know, to Kings; but it is *by the ordinance of God*,^c not the donation of the People. For *he beareth the sword*, St. Paul telleth us, as God's Minister,^d from whom he received it; and not as the People's Minister, who had no right to give it, because they never had it themselves. If any shall say they had, the proof lieth on their part, to shew how they came by it: whether God gave it them, or they took it themselves. If God gave it them, let it be made appear when and where the first grant was made: let some evidence be produced to justify the claim, or at least some credible testimony, or pregnant presumption to render it probable that there was some such thing done, though the records be lost. If none of all this can be done, it remaineth that, if they had it, they took it. And if they so did, it was saucily and sacrilegiously done at the first; and, by our Saviour's presage, Matt. xxvi. 52, like enough to prosper with them accordingly at the last.

XVI. Besides, the supposed Contract itself is encumbered with so many doubts and difficulties, that it is not possible for

^c Τοῦ Θεοῦ διαταγή. Rom. xiii. 2. xvii. 14, 15. quaere. [This reference
^d Θεοῦ διάκονος. Ibid. 4. Deut. does not appear in the First Edition.]

the wit of man to devise salvos or expedients sufficient to rescue it from infinite entanglements and irreconcilable contradictions. I believe it would trouble the ablest of them all that hold this opinion, to give a direct satisfactory answer, amongst a world of queries more that might be tendered, to these following interrogatories. First, for the persons contracting, of what sort of persons did the People, who are supposed to have made the first Contract in this kind, consist? Were all, without difference of age, sex, condition, or other respect, promiscuously admitted to drive the bargain, or not? Had women, and children, and servants, and madmen, and fools, the freedom of suffrage, as well as men of age and fortunes and understanding? Or were any of them excluded? If any excluded, who excluded them? by whose order, and by what authority was it done? and who gave them that authority? If all were admitted, whether with equal right to every one, or with some inequality? Was the wife's interest towards making up the bargain equal with that of her husband? and the child's with that of his parents? and the servant's, if there were or could be any such thing as master and servant, with that of his master? If every one had not an equal share and interest in the business, whence did the inequality arise? who made the difference between them? and what right had any man, and how came he to have that right, to give more or less power to one than to another? If all were equal, who could summon the rest to convene together? or appoint the day and place of meeting? or when they were met, take upon him the authority and office of regulating their proceedings, of presiding or moderating in the assembly, of determining such doubts and differences as might arise while matters were under debate, of calculating the voices,* and drawing up the articles of the agreement, in case they should agree?

XVII. But let us imagine all these could be cleared, and the Contract made as they would have it; yet would the force and obligation of it remain questionable still. For it may be demanded, whether the majority of votes shall conclude all that are present, dissenters as well as others? And whether by virtue of an act of those upon the place, an obligation shall lie

* 'voices,' *votes*. See Sermon i. ad Magistr. §. 22.

upon such as are casually absent, or willingly absent themselves, when it was free for them so to do, no man having power to require their appearance? And whether a Contract made by such persons as were at liberty before, can debar those that shall succeed them in the next generation from the use of that liberty their ancestors had and enjoyed? If so, by what Law or Right are the said respective persons so concluded? and whence should that Obligation spring? None of these things look like the dictates of the Law of Nature; and other Law besides that, according to our Hypothesis, when as yet there was no Government, there could be none. And the Contract itself, as a bare Contract, without the help of some Law or other to give it force, cannot operate upon any but the Contractors: it cannot have any cogency upon those that never gave consent thereunto.

XVIII. Besides these and I know not how many more difficulties no less insoluble, one thing there is which puzzleth the men of this opinion very much, and wherewith a man that were so disposed might make himself some sport: to wit, the circle between Property and Government which they have conjured themselves into, and wherein they run round even unto giddiness, like men in a maze or labyrinth, not knowing which way to get out. That which some have said, because when they are put to it they must say something, viz. 'That Dominion and Property is in order of nature before Government,' be it true or be it false, as to their purpose signifieth nothing, unless it could be made out that they were before it in order of time also. This dispute is not much unlike that problem in Macrobius,* *Ovumne prius fuerit, an gallina?* Whether were first the hen or the egg? We cannot imagine there could be a hen, but we must suppose there must have been an egg first, out of which that hen must have been hatched: neither can we imagine there could be an egg, but we must suppose there must have been a hen first, to lay that egg. Semblably here, we cannot imagine Property, but we must suppose some Government first: because the Right which any man hath to that wherein he claimeth a Property must accrue to him by some Law, and that supposeth Government.

* Saturnal. vii. 16.

Nor can we imagine a Government, one of the principal ends whereof is the preservation of men's Properties who live together in one Society, but we must suppose there were first such Properties to be so preserved. True it is, that a mere Rationalist, that is to say, in plain English, an Atheist of the late edition, who giveth more faith to such Heathen Philosophy as affirmeth the world to have been *ab æterno*, than to Divine Revelation which assureth us it had a beginning, (and some of the great Champions of the opinion we now speak of have given cause enough of suspicion that they are little better,) such a one, I say, cannot possibly get out of the circle, or solve the difficulty in either of the aforesaid instances. But to us, who believe the Scriptures and acknowledge a Creation, the solution of both is equally easy. If we will but follow the clue of the Sacred History in the four first chapters of Genesis, it will fairly lead us out of these labyrinths in a plain way, and without any great trouble. It is certain that God in the first Creation made all living creatures, each in their kind, in the full state and perfection of their nature; and thence we may conclude, that undoubtedly the hen was before the egg. And it is no less certain that, as soon as Adam was created, God gave to him, as an universal Monarch, not only dominion over all his fellow creatures that were upon the face of the earth, but the Government also of all the inferior world, and of all the men that after should be born into the world so long as he lived: so as whatsoever Property any other Persons afterwards had or could have in any thing in any part of the world, (as Cain and Abel, it is well known, had their Properties in several, and distinct either from other) they held it all of him, and had it originally by his gift or assignment, either immediately or mediately. Whence we may also conclude, both *in hypothesi*, that Adam's Government was before Cain's Property, and *in thesi*, that undoubtedly Government was before Property. And we have great reason to believe that after the Flood the sole Government was at first in Noah; and whatsoever either Property in any thing they possessed in several, or share in the Government over any part of the world afterward any of his sons had, they had it by his sole allotment and authority, and transmitted the same to their posterity merely upon that account: without awaiting the election or consent of, or enter-

ing into any articles or capitulations with the People that were to be governed by them. Those words in Gen. x. 22. seem to import as much: *These are the families of the sons of Noah in their generations after their nations: and by them were the nations divided in the earth after the flood.* And so this supposed Pact or Contract, which maketh such a noise in the world, proveth to be but a squib, powder without shot, that giveth a crack, but vanisheth into air and doth no execution.

XIX. That last, from the ill timing of the Publication, is so poor an Objection that it is scarce worth the answering. Subjection and Obedience to Superiors, besides that they are duties of perpetual Obligation, equally with all those mentioned together with them in that fore-cited passage of the Apostle, Tit. iii. 1, 2, are also, as hath been said, of so great public concernment otherwise, and withal so little looked upon as duties by the most of men, that the pressing upon the People's Consciences the performance thereof, whether by word or writing, cannot with any pretence of Reason be deemed unseasonable at any time. Nor hath the great Mercy of God vouchsafed to these Nations in the happy, and little less than miraculous Restoration of our gracious Sovereign to his father's throne, or the general alacrity of our people in owning his Sovereignty, rendered the Truths in this Treatise asserted any whit less necessary to be taught and known as the times now are, than in the times of our late sad Troubles and Distractions. As will be easily yielded by all such, as either have diligently observed the temper and carriage of the most active men of these times, or shall duly take into consideration, amongst many other things which might be added, these few ensuing particulars:

1. The desperate principles and resolutions of Quakers, Fifth Monarchy men,* and other enthusiastic Sectaries, of what denomination soever, who utterly refuse to take the Oath of Supremacy; and what multitudes in a few years, for want of timely coercion, they are increased into in all parts of the Land.

* The Insurrection of Venner and this Preface, Monday, January 7, other Fifth Monarchy men took 1661. Kennet's Register, 355. place just one week after the date of

2. How strangely some of those that have taken the said Oath, and they a far more considerable Party than the former, do yet seek to mince it, by such an interpretation of the word 'Only,' as quite destroyeth the force of it, and leaveth a gap open for any rebellious attempt to enter, that shall offer so to do.

3. That the Ministers of that Party, who in their prayers before and after sermon do not usually shew themselves overstudious of brevity, are generally observed when they pray for the King, (whether for fear of offending their grandees, or as a discriminating character or Shibboleth, whereby to distinguish themselves from men of different principles from them, or for whatever other reason it is) to omit in reciting his Majesty's Royal Titles that clause which in former and peaceable times was generally used,—'in all Causes and over all Persons, as well Ecclesiastical as Temporal, in his Dominions, Supreme Governour.'

4. With what boldness some of the said Ministers do in their ordinary prayers and sermons openly asperse the King and his Government; and with what cunning other some of them do covertly and glancingly inject suspicions into the minds and thoughts of their credulous auditors concerning the same, by these means to beget in the People an opinion, to which the common sort are as easily persuaded as to any other thing in the world, that they are not so well governed as they should be. The old experimented artifice by which Absalom stole away the hearts of the people from their allegiance.

5. What endeavours have been used, that the encroachments made upon the Regalities, by such advantages as the late King's either necessities or condescensions ministered, should still continue; and that all public actings, from the beginning of the Long Parliament till the Year 1648, (whereof it were a miracle if some, whilst the dispute was so hot, were not illegal enough, and unprecedented,) should be avowed and justified.

6. What a world of wicked pamphlets, sermons, and other treatises full of most dangerous and seditious positions have been sent abroad within these few last years, vented and dispersed through all the parts of the Kingdom, and lie still upon the stalls and in the shops, free for any man that list to buy.

When all this, and some other things, which, to avoid the provoking of some unpeaceable spirits, I forbear to mention, are notorious of themselves, and sufficiently known to the whole Nation, let any man now say, if he can show cause, why it should be either unseasonable or unnecessary that books should be published to assert the just Right and Power of Princes, and to remind the People of their bounden duty of Subjection and Obedience?

Let this learned Treatise then, in the Name of God, go forth and prosper, according to the pious intention of the Reverend Author now in peace, and the hearty desires and prayers of the Publishers; that Princes, remembering from whom they have their authority, may with all faithfulness exercise it to the honour and glory of Him that gave it, to the comfort, benefit, and happiness of the People under their Government, as the end for which it was given; and to the furtherance and advantage of their own trial at that last great Day, when they are to render an account for all the Power committed to their trust, and how they have administered the same; and that all Subjects, duly considering whose authority their Princes have, may faithfully serve, honour, and humbly obey them, according to God's holy Word and Ordinance. So shall Peace and Righteousness flourish upon Earth, and God shall send down His blessing both upon King and People from Heaven. Even so, Amen.

ROBERT LINCOLN.

London, Dec. 31.

MDCLX.

OF the Editor of the Volume, for which the following Preface was written, this account is given by Dr. Elrington in his *Life of Ussher*, p. 115.

‘ Nicholas Bernard had been educated at Cambridge, and introduced to the Primate, then Bishop of Meath, in the year 1624. The Primate brought him over to Ireland in 1626, and in the autumn of that year ordained him. His Grace’s interest procured for him the Deanery of Kilmore in the next year. It seems very extraordinary that Bishop Bedell should, in 1630, speak of him as the Primate’s “old servant.” The biographers of Bishop Bedell state that Dr. Bernard was so ashamed of his being the only person who resisted the Bishop’s wishes about pluralities, that he exchanged his Deanery for that of Ardagh; but this is not correct, for he did not make the exchange till 1637. In 1635 the Primate gave him the Vicarage of St. Peter’s, Drogheda, where he resided, in care of his Grace’s library, till after the siege in 1641. Soon after the rebellion he left Ireland, and was appointed Rector of Whitechurch, in Shropshire, and Preacher to the Society of Gray’s Inn. He then was appointed Chaplain and Almoner to Oliver Cromwell. He seems to have had very accommodating religious opinions; for on the Restoration he continued to hold his living of Whitechurch, and died soon after.’

CLAVI TRABALES;

OR,

NAILS FASTENED BY SOME GREAT MASTERS OF ASSEMBLIES.

CONFIRMING

THE KING'S SUPREMACY.

THE SUBJECT'S DUTY.

CHURCH GOVERNMENT BY BISHOPS.

The Particulars of which are as followeth :

- I. Two Speeches of the late LORD PRIMATE USSHER's.
The one of the King's Supremacy,
The other of the Duty of Subjects to supply the King's Necessities.
- II. His Judgment and Practice in Point of Loyalty, Episcopacy,
Liturgy and Constitutions of the Church of England.
- III. Mr. HOOKER's Judgment of the King's Power in matters of
Religion, advancement of Bishops, &c.
- IV. Bishop ANDREWS of Church Government, &c. both confirmed
and enlarged by the said Primate.
- V. A Letter of Dr. HADRIANUS SARAVIA of the like Subjects.

UNTO WHICH IS ADDED,

A SERMON OF REGAL POWER, AND THE NOVELTY OF THE DOCTRINE OF RESISTANCE,

Also a PREFACE by the Right Reverend Father in God,
THE LORD BISHOP OF LINCOLN.

Published by NICHOLAS BERNARD, Doctor of Divinity, and Rector of
Whitchurch in Shropshire.

*Si totus orbis adversum me conjuraret, ut quidquam molirer adversus Regiam Majestatem, ego
tamen Deum timerem, et ordinatum ab eo Regem offendere temere non auderem. Bern. Ep.
170. ad Ludovicum Regem, An. 1130.*

LONDON,

PRINTED BY R. HODGKINSON,

And are to be sold by R. Marriot, at his Shop in St. Dunstan's Churchyard
in Fleet-street. 1661.

THE BISHOP OF LINCOLN'S

PREFACE TO THE READER.

COURTEOUS READER,

THE four Authors of these scattered, and some of them imperfect, pieces, by the care and diligence of the learned Publisher gathered up, preserved from perishing, and presented to the world here altogether in one view, were all of them men famous in their times, and of so high esteem, that common opinion had set them up, which is not always the lot of Worth and Virtue, above the reach of Calumny and Envy, even whilst they were yet living : much reverence everywhere paid, not to their persons only, but to their very names : their writings carried authority with them, as well as weight ; and the evidence of Truth, which hath a marvellous strength to cast down every imagination that exalteth itself thereagainst, shining forth in their works, subdued all men, that had not, to serve Interests, laid aside their Reason, to their judgments : in-somuch as the adverse Party, finding themselves not so well able to stand upon their own bottom, nor likely to hold up the reputation they had gained among the vulgar without a juggle, have been sometimes put to the pitiful shift of setting forth supposititious Pamphlets in favour of their cause, under the counterfeit names of other men of known piety and parts ; whose former writings having been entertained with general approbation abroad in the world, their very names, they thought, would give some countenance to any cause which they could seem in any degree to own. So sometimes poor men's bastards are fathered upon those that never begat them, only because it is known they are well able to maintain them.

This is one of their *piae fraudes* or godly cheats, a practice common to them with the Jesuits : as many other of their

practices, ey,* and of their doctrines too, are. Such an unhappy, fatal coincidence not seldom there is of extremes. Thus dealt they with the Reverend Primate of Armagh, printing in his name, and that in his lifetime too, (such was their modesty and tenderness of conscience) two several Pamphlets, the one called *Vox Hiberniae*, and the other, *A Direction to the Parliament, &c.* See pag. 151.† And sure, if they had the forehead to make thus bold with him, when he was alive, able to complain of the injury done him, and to protest against it, we cannot doubt but that if need were, they would make at least as bold with him and his name after he was dead, when they might do it with greater security and less fear of control. See pag. 60.‡ They that betake themselves to these unworthy

* ‘ey.’ See Sermon iv. ad Aulam, §. 40, preached in 1636; after which time the use of this word seems to have become very familiar with Sanderson.

† The following are the passages to which reference is here made:

‘One thing more in relation to the Lord Primate Ussher. There hath been a Pamphlet of late revived which had been printed before in his name, intituled, ‘The Bishop of Armagh’s Direction to the Parliament concerning the Liturgy and Episcopal Government, &c.’ against which, as himself had declared in his lifetime, so have I since his death, to be a false, fictitious Paper; yet notwithstanding it is reprinted, and sold up and down as his, and accordingly produced at this day, by many upon all occasions to his great injury.

For the further clearing of which let the Reader take notice that in Anno 1640, when it came first out, the Primate petitioned the House of Commons for the suppressing of it; upon which this Order was conceived as followeth:

An Order of the Commons’ House of Parliament, for the suppressing of another Pamphlet falsely fathered upon the said Archbishop of Armagh, Die Martis 9. Feb. 1640.

Whereas complaint hath been made unto us by James, Lord Arch-

bishop of Armagh, and Primate of all Ireland, that a certain Pamphlet hath been lately most injuriously fathered upon him, and spread under the false title of *The Bishop of Armagh’s Direction to the House of Parliament concerning the Liturgy and Episcopal Government*; It is this day ordered in the Commons House of Parliament, that the Master and Company of Stationers, and all others whom it may concern, shall take such course for the suppressing of the said Book, that they shall not suffer it to be put in Print; or if it be already printed, not permit the same to be divulged; and if any man shall presume to print or publish the Book above mentioned, that he or they shall be then liable to the Censure of the said House.

H. ELSYNG,
Cler. Dom. Com.’

‡ Dr. Bernard’s words are, ‘Some Pamphlets, which of late years have been published in his name, containing, as they pretended, his opinion for the omission and change of divers things in it, as I did at their first coming forth protest against them, to be fictitious Papers, so I do here confirm it; and whatsoever he might now have yielded unto for the peace and unity of the Church, that we might all speak the same thing, I can assure it, if he were alive, in these late disputes of it, he would have been for the Defendant.’

arts, though they may please themselves for a while with an imagination that by this means the people will fall to them apace, and thereout they shall *suck no small advantage* to their Cause and Party, yet, as it mostly cometh to pass, such their rejoicing is but short; for the imposture once discovered, (nor is it often long before that be done; for *a lying tongue is but for a moment*) the Impostors are forced *to lie down in sorrow*; and that, if they could be found out, with shame enough. For, such discovery once made, wise men fall off faster from them than ever fools came on: concluding the Cause to be desperately crazy, that must be beholding to such weak props as these to shore it up and support it.

How they that are guilty of such foul play will be able to make answer for their insincerity before the tribunal of the great Judge at that His Day (if yet they that do such things can really believe there is any such thing as a Day of Judgment to come) I leave to their own judgments in this their day to consider. As for us *qui leges colimus severiores*, as we profess our utter abhorrency of all forgery and other like unworthy and unchristian attempts in any person, of whatsoever persuasion he be, or for whatsoever end it be done, so we hold ourselves religiously obliged to use all faithfulness and sincerity in the publishing of other men's Works, by suffering every Author to speak his own sense in his own words, nor taking the boldness to change a phrase or syllable therein, at least not without giving the Reader both notice where, and some good account also why we have so done. Such faithfulness and ingenuity the learned Publisher of these Treatises professeth himself to have used, in setting them forth, neither better nor worse, but just as he found them in the Reverend Primate's Paper, some perfect, and some imperfect, according as they were, and still are in the Copies which are in his custody, and which he is ready upon all occasions to show, if need shall require.

The Primate's two Speeches, and Dr. Saravia's Letter, are set forth perfect, according as they are in the Original Copies to be seen. The Treatise of the Form of Church-Government heretofore published, and, very probably, supposed to have been some collections of the most learned and reverend Bishop

Andrews,* but whereunto the Author had not put to his last hand, is a piece though little in bulk, yet of huge industry; and such as neither could the materials thereof have been gathered without very frequent reading and attent observing of the sacred Text; nor, being gathered, could they have been easily contrived or digested into any handsome form so compendiously without the help of a methodical and mature judgment; which doubtless, had the Author polished and finished according to his own mind, abilities, and exactness in other things, would have given very much satisfaction to the impartial Reader, and done good service to the Church of God. Yet rather than a Tract of so much usefulness should not be publicly known to the world, the Publisher, in order to the public good, thought fit, notwithstanding whatsoever defects it may have for want of the Author's last hand thereunto, to join it with the rest in this Edition: especially the learned Primate having had it under his file, as by the Notes and other additions written with the Primate's own hand (which I have seen and can testify) doth plainly appear. The same also is to be said of the three pieces of the renowned Hooker, and of what is written with the same hand in the margent of the Manuscript Copy, whereof some account is given, pag. 49.†

Great pity it is, if it could be holpen, that any thing which fell from the pen of any of these four Worthies should be lost.

* It may be seen with many variations from the form in which it was edited by Bernard, in the Volume of his Minor Works published in the Library of Anglo-Catholic Theology. Oxford, 1846.

† 'Unto which I shall only add this, that I have found among the Primate's papers a Manuscript, containing Mr. Hooker's judgment of these three things,

1. Of Regal Power in Ecclesiastical Affairs.
2. Of the King's Power in the advancement of Bishops unto the rooms of Prelacy.
3. Of the King's exemption from Censures and other Judicial Power.

All which, as the Primate notes with his own hand, are not found

in the common Copies of Mr. Hooker's MS, though by what art and upon what design so much was expunged I know not: only thus far the Primate hath joined his testimony with Mr. Hooker in these, which seem to be the true, that he hath corrected and perfected the copy throughout with his own hand, and not only found out the several quotations, and put them down in the margent, which had been before omitted, but added many of his own, with some other large Annotations, by which his zeal for the defence of Regal Power is the more evident.'

See Keble's Note on Walton's Appendix to his Life of Hooker, Works, i. 120. Oxford, 1836.

But where the entire Work cannot be retrieved, it is pity but, as in a shipwreck at sea, or scath-fire by land, so much of it should be saved as can be saved, be it more or less. Those men have been always thought to have deserved well of the Commonwealth of Learning, that have bestowed their pains in collecting out of the Scholiasts, Grammarians, Lexicons, and other ancient Authors, the Fragments of Ennius, Lucilius, Cicero, the Dramatic Poets, and of other learned, though but Heathen Writers, whether Greek or Latin. How much more then ought the very imperfect Fragments and Relics, so they be genuine, of such excellent persons, that tend so much to the advancement, not of the knowledge only, but of the power also of Christianity, and of Godliness as well as Truth, be acceptable to all those that are true lovers of either. Of gold *quaevīs bracteola*, the very smallest filings are precious; and our Blessed Saviour, when there was no want of provision, yet gave it in charge to His Disciples, the off-fall should not be lost. The more commendable therefore is, and the more acceptable to the men of this generation should be, the care of the reverend preserver and publisher of these small but precious Relics of so many eminent persons, men of exquisite learning, sober understandings, and of exemplary piety and gravity, all concurring in the same judgment, as concerning those points (factious spirits in these latter times so much opposed) of Regal Sovereignty, Episcopal Government, and Obedience in Ceremonials.

What the Reverend Doctor hath added of his own, as touching the Learned Primate's judgment in the premisses, and confirmed the same by instancing in sundry particulars under those three general heads, and that, from his own personal knowledge and long experience, having for divers years lived under or near him, is in the general very well known to myself and many others, who have sundry times heard him, as occasion was given, deliver his opinion clearly in every of the aforesaid points, which were then grown to be the whole subject, in a manner, of the common discourse of the times. But one particular I shall mention, which above the rest I perfectly remember, as taking more special notice of it when it was spoken than of the rest, because I had never heard it observed by any before, and having myself oftentimes since

spoken of it to others upon several occasions; which for that it hath given satisfaction to some, I think it my duty to make it known to as many others as I can, by acquainting the Reader with it; and it concerneth the Ceremony of the Cross after Baptism, as it is enjoined by Law, and practised in the Church of England.

The use of this Ceremony had been so fully declared, and, as to the point of superstition wherewith some had charged it, so abundantly vindicated, both in the Canons of the Church and other writings of learned men, that before the beginning of the Long Parliament, and the unhappy divisions that followed thereupon, there were very few in the whole Nation, scarce here and there one, either of the Ministers that made scruple to use it, or of the People that took offence at it. But after that some leading men of the House of Commons in that Parliament, for the better driving on the design they had upon the King, had let all loose in the Church, whilst some few stood fast to their honest principles, and were most of them undone by it, the greatest part of the Clergy, to their shame be it spoken, many for fear of losing their own, more in hope to get other men's Livings, and some possibly out of their simplicity beguiled with the specious name of Reformation, in a short space became either such perfect timeservers as to cry down, or such tame compliers with the stronger side as to lay down ere they needed, the use of the whole Liturgy, and of all the Rites and Ceremonies therein prescribed. But among them all, none in the whole bunch so bitterly inveighed against, nor with such severity anathematized, as this of the Cross, as smelling ranker of Popery and Superstition than any of the rest: as it is even at this day by the managers of the Presbyterian Interest represented as, of all other, the greatest stone of offence to tender consciences, and the removal of it more insisted upon than of all the other Ceremonies, by such men as, having engaged to plead in the behalf of other men's tender consciences, do wisely consider withal, that it will not be so much for their own credit now to become timeservers with the Laws, as it was some years past for their profit to become timeservers against the Laws.

These outcries against a poor Ceremony, to us, who were not able to discern in it any thing of harm or superstition

worthy of so much noise, afforded sometimes, when two or three of us chanced to meet together, matter of discourse. It happened upon a time, that falling occasionally upon this theme, the Learned Primate among other things said to us that were then casually present with him, that in his opinion the Sign of the Cross after Baptism, as it is appointed in the Service Book, and taken together with the words used therewithal, was so far from being a relic of Popery, that he verily believed the same to have been retained in the Church of England at the Reformation, of purpose to show that the custom used in the Church of Rome, of giving the Chrism to infants immediately after their Baptism, was in their judgments neither necessary to be continued in all Churches, nor expedient to be observed in ours. Which his opinion, as it is most certainly true in the former, so to me it seemeth very probable in the latter branch thereof.

For, first, how can that be with any truth affirmed, or but with the least colour of reason suspected to be a Popish custom, or a rag or relic of Rome, that hath been for above a hundred years used, and that use by Law established, in the Protestant Church of England, but is not at all used, nor, for ought I can learn, ever was used by the Papists in their Churches? nor is it by any order or authority of the Church of Rome enjoined to be used in any Church in the world that professeth subjection thereunto. True it is, that in the Office of Baptism, according to the Roman Ritual, the Sign of the Cross is very often used: from first to last, at least twenty times, viz. in the Benediction of the salt, in the Exorcisms, in the formal words of Administration, and otherwise; yet, as luck would have it, that Sign is not made, nor by the Ritual appointed to be made upon the child's forehead, as with us is used; nor are those very words therewithal used, nor other words to the like purpose by the said Ritual appointed to be so used, showing what the intent, meaning and signification of that Sign is, as in our Service Book is done. And true it is also (for I will not, as I think I ought not, dissemble any thing that I can imagine might be advantageously objected by an adversary) that according to the Roman Order the Minister, as soon as he hath finished the Baptism (*Ego baptizo te &c.*), is in the next place to anoint the infant cross-wise, with a cer-

tain Prayer, or Benediction rather, to be said at the same time, as by the Ritual printed at Antwerp, An. Dom. MDCLII, pag. 23, may appear. But so far distant is that Rite of theirs from this of ours in many respects, as may also by comparing their Ritual with our Service Book appear, that ours cannot with any congruity be thought to have been drawn by that pattern, or to have been borrowed or taken from their practice. For, first,

1. Theirs is *actus immanens*, a material anointing, and so leaveth a real effect behind it, the visible form or figure of a Cross, to be seen upon the child's head after the act is done. But ours is a mere transient act, an immaterial sign of a Cross made in the air, without any sensible either impression or expression remaining when the act is over.

2. Theirs is done upon the top or crown of the head (*in summitate capitis*, Ritual, p. 23.) which is elsewhere expressed by *vertex*, (see p. 49 and 51 and 56) which sure must needs have some other signification, if it have any, than ours hath, which is done upon the child's forehead, the proper seat, by the common judgment of the world and according to the grounds of physiognomy, of shamefastness* and boldness; and so holdeth a perfect analogy with that which the Church intended to signify by it, 'in token that he shall not be ashamed' &c.

3. Their Cross belongeth precisely to the anointing with the Chrism, whereunto it relateth, and hath such a dependence thereupon, that, supposing there were no such Chrism used in the Church of Rome, there would be no place left for the Cross in all that part of the Office that followeth after the formal words of Baptism, as from the frame and order of their Ritual is most evident. It cannot therefore be the same with the Cross used in our Church, where the Chrism is not at all used, but thought fit rather at the Reformation to be (I dare not say condemned as unlawful and superstitious, but) laid aside, as at least unnecessary and useless, as many other Ceremonies, still retained in the Church of Rome, were, because, though some of them were guiltless, yet they were grown so burdensome by reason of their multitude, that it was fit the number of them should be abated.

* See Sermon i. ad Magistr. §. 5.

And yet, secondly, there might be, and, in the Primate's judgment, probably there was a more peculiar reason why after Baptism our Church did substitute the Sign of the Cross with the words thereto appertaining, instead of the Chrism and the Cross attending it used in the Church of Rome. The Ceremony of giving the Chrism to Infants in all likelihood came into the Church about the same time, when, through the misunderstanding of a passage in John vi. 53, the opinion of the necessity of administering the Lord's Supper to Infants had obtained in the Christian Church. And that, as it seemeth, to supply in some sort the want of Confirmation, wherein the like Ceremony of anointing with the Chrism was used, of which young children were not capable, and which yet was in all reason to precede the receiving of the Lord's Supper. That opinion in time vanished as an error, and with it the practice of Communicating Infants ceased. But still the custom of giving them the Chrism continued, as a kind of initial Confirmation, if I may so call it: as if by it were conferred some degree of that Grace, which, in their account, is the proper effect of the Sacrament of Confirmation, to wit, the Grace of spiritual strength, to fight against the spiritual enemy of the Soul, the flesh, the world, and the devil. Now to prevent the imagination of any such efficacious virtue in the Chrism, and to show that by Baptism alone, which is *Sacramentum militare*, without the addition of the Chrism, the person baptized receiveth all that benefit of grace and strength, whatsoever it be, which he should do if the Chrism were joined with it, (for by Baptism he is not only received into the Church as a member of Christ, but matriculated also into the militia as a soldier of Christ,) it might very well be thought convenient, laying aside the anointing with the Chrism, *per modum Crucis*, Cross-wise, that the Minister, as soon as he hath baptized the child, should in express words signify to the Congregation, that he is now become the soldier of Jesus Christ, as well as a member of His Church, with the Sign of the Cross also used therewithal, as a significant Ceremony, in token that the person so baptized, being now the soldier of Christ, should not be ashamed of his profession, nor behave himself cowardly therein.

This is the substance of what the Learned Primate declared

to us to be his judgment concerning the use of this Ceremony, and the place it hath in our Liturgy. In the setting down whereof, if for the Reader's fuller satisfaction I have allowed myself a good liberty of enlargement, either for the further confirming or the better clearing of his opinion, I hope none will therefore charge me to have misrepresented it, having gone all along upon his grounds, and perfectly to his sense. This story, of what discourse we had with the Primate at that time, as I had to others heretofore, so I told very lately to the Reverend Doctor, the Publisher of these Treatises, who told me back again, that himself had also heard him declare his opinion to the same effect as aforesaid, and remembereth particularly (which I here publish, having the Doctor's warrant so to do) that he so declared it in a public speech, mentioned, page 63, before a great auditory at Drogheda in Ireland, when he first confirmed children there.

I am unwilling, having gone thus far already, to weary the Reader or myself with proceeding any further; nor indeed is it needful I should. For, since *only by pride cometh contention*, Prov. xiii. 10, if all men that pretend to be wise and honest would be humble (and truly he that is not so is neither honest nor wise), and make that their business which is certainly their duty: that is to say, if they would study quietness more and parties less, bear a just reverence to Antiquity and to their betters, allow as favourable a construction to things established as they are capable of, suspect their own judgment wherein it differeth from the public, submit to reason, and yield when they are convinced, obey cheerfully where they may, and, where they dare not, suffer without noise, a little saying and writing would serve the turn. But when men are once grown to this, to make it their glory to head or hold up a party; to study ways how to evade when they are called to obey; to resolve to err, because they have erred, and to hold their conclusion in spite of all premisses; to prefer their private opinions before wiser men's judgments, and their reputation with the vulgar before obedience to Superiors; in a word, to suffer themselves to be swayed with passions, parties, or interests; all the writing and saying in the world, as to such men, until it shall please God to put their hearts into another frame, is to no more purpose than if a

man should go about to fill a sieve with water, or to wash a blackamore white.

When we have tried all the ways and conclusions we can, we shall in the end find the best expedient for peace, and the best service we can do the Church, ourselves, and our brethren, to be our constant and instant prayers to Almighty God, with our subservient endeavours, that He would give to every one of us a discerning judgment to see the Truth, and a willing mind to embrace it, conscience to do what we ought, and patience to suffer what we must, humility to acknowledge our own, and charity to bear with other men's infirmities, that so we may keep the unity of the Spirit in the bond of peace, and fulfil the Law of Christ; which is the unfeigned hearty wish of

The unworthy Servant

of Jesus Christ,

Ro. LINCOLN.

London, Aug. 10, 1661.



THE Discourse concerning the Church is said by Antony Wood to have been published by Dr. William Assheton, sometime Fellow of Brasenose College, afterwards Rector of Beckenham in Kent, and Chaplain to the Duke of Ormond. *Athenae Oxon.* iii. 628, ed. Bliss, where a list of seventeen Publications of his is given. Thirty-five are enumerated, between 1662 and 1710, in 'The Christian Indeed, and Faithful Pastor: impartially represented in a practical Essay, and historical Account of the Exemplary Life and Works of the late eminent William Assheton, D. D.' &c, &c, by Thomas Watts, A. M. Vicar of Orpington and St. Mary Cray in Kent.' 8°. London, 1614. No mention is made of this posthumous Tract of Sanderson's in either place.

IMPRIMATUR

Hic Libellus cui Titulus, A Discourse
concerning the Church, &c.

July 28, 1688.

JO. BATTELY.*

* Chaplain to Archbishop Sancroft, and Author of *Antiquitates Rutupinae*.

A DISCOURSE

CONCERNING

THE CHURCH

IN THESE FOLLOWING PARTICULARS.

- I. Concerning the Visibility of the true Church.
- II. Concerning the Church of Rome.
- III. Concerning Protestant Churches.
- IV. An Answer to this Question,—Where was your Church before Luther?

BY THE RIGHT REVEREND FATHER IN GOD,

ROBERT SANDERSON,

Late Lord Bishop of LINCOLN.

LONDON,

PRINTED BY T. B. FOR R. TAYLOR,

1688.

THE PUBLISHER TO THE READER.

THAT the following Discourses are genuine and authentic, and were really writ by that excellent Prelate whose name they bear, can never be doubted by the learned and judicious Reader. For the composures of that incomparable pen are so close and logical, and his style so masculine and convincing, as not easily to be imitated by any other hand.

However, to justify my integrity herein, since posthumous Writings lie under suspicion, I shall give this further satisfaction; that about twenty years since, I received these Papers from the hands of that well-known, good man, Mr. Jo. Pullen of Magdalen Hall, his Lordship's domestic Chaplain. Who, upon my desire, did communicate not only these, but several other Remains of the same venerable name.

Amongst which, there is a fragment of an Answer to Dr. Baylie's Challenge.* Whether or no it was ever finished, I have no certain conjecture. But if it were, and could be found, the publishing of it at this juncture would be seasonable and useful.

For though that Pamphlet is a piece of as transparent sophistry as was ever called demonstration, and though the weakness and

* 'Dr. Baylie's Challenge.' The Work to which reference is here made, was, probably, 'Laudensium Ἀποκατάκρισις. The Canterburians' Self Conviction: or an evident Demonstration of the avowed Arminianism, Popery, and Tyranny of that Faction by their own confessions, &c.'

The third Edition 'augmented by the Author, with a large Supplement,' appeared in 1641, printed by Nathaniel Butter, no place named. The Title-page exhibits 'Ladensium,' and, throughout the work, the Archbishop's name is written 'Lad,' possibly, in the first instance, with a view to escaping Prosecution.

Such passages as the following seem to warrant the supposition that this is

the work intended by Dr. Assheton.

'This is the eleventh month that the Archbishop of Canterbury and his faction has been challenged in print before the whole Isle, as guilty by their own confession of setting up, so far as lay in them, in all his Majesty's dominions, contrary to many standing Laws, contrary to his Majesty's mind and many late declarations, Arminianism to the full, the grossest heads of Popery, a tyranny not only Papal in the Church, but also Turkish in the State.' Opening of the Preface.

'I have all my desire. My Challenge in every point is fully justified to the satisfaction of all, without the contradiction of any.' Supplement, p. 69.

inconsequence of it hath been sufficiently displayed, yet such is the pleasure of some men, that it hath been printed and reprinted with as much assurance, as if not the least notice had been ever taken of it.

The same remark is obvious concerning these following Tracts.

'Tis surprising to observe, after these things have been so clearly and fully stated, that we should ever and anon be thus pelted with that impertinent Question, Where was your Church before Luther? Our venerable Author doth tell them where it was. And he doth it with such an evidence and strength of reason, as is peculiar to himself. For whereas the writings of other men may indeed convince, those of Bishop Sanderson do perfectly silence.

A DISCOURSE

CONCERNING

THE VISIBILITY OF THE TRUE CHURCH.

THE word CHURCH hath, among others, these four special significations. Being taken for,

First, the whole Company of God's Elect, actually made Members of Christ by virtue of an inward, effectual calling to faith and godliness. This we commonly call the Invisible Church, or the Church of God's Elect.

Secondly, the whole Company* of all those throughout the world, who by their doctrine and worship do outwardly make profession of the Name of Christ. This we call the Universal Visible Church, or the Catholic Christian Church.

Thirdly, some particular, distinct, whether National, Provincial, or other greater or smaller, part of the Universal. As we say, the Church of Rome, the Church of Corinth, the Church of England. This we call a Particular Visible Church.

Fourthly, by a Synecdoche, the Bishops, Pastors, and Governours of Particular Churches, lawfully authorized to represent the whole Church whereof they are Governours, as to some special intents. This we call a Church Representative.

The word TRUTH, applied to any subject, is taken either *absolute* or *respective*.

Absolutely a thing is true, when it hath *veritatem entis et essentialis*; with all those essential things that are requisite to the bare being and existence of it. Respectively, when, over and above these essentials, it hath also such accidental conditions and qualities as should make it perfect and commendably good.

* 'the whole of all those' Queen's College MS.

A thing may be true in the first sense, and yet not true in the second, but false. As a man may be a true man, *animal rationale*, and yet a false knave; a woman a true wife, *nupta viro*, and yet a false quean; a speech a true proposition, having *subjectum, praedicatum, et copulam*, and yet a false lie.

A true Church, according to the first sense and absolutely, is every Church that in her doctrine and worship professeth the Faith of Christ, whether soundly or corruptly. But in the second sense and respectively, that only is a true Church whose doctrine and worship is pure, at least in a good measure, from errors and superstitions. So as other Churches, which either maintain heretical doctrines or prescribe idolatrous worship, may be justly called, at leastwise in comparison with this, and in this second sense, false Churches, and not true.

A total and utter defection from the whole Faith of Christ, in doctrine and in worship, destroys the very being of a Church, and maketh it no Church at all. But a defection from the purity of Faith doth not take away the being of a Church. It remains still a true Church absolutely, but only maketh it an impure and corrupt Church, and so far forth a false Church respectively.

Corruptions in doctrine and worship, as they are greater or lesser, so they make a Church more or less false comparatively; and as they are imposed upon men with greater or lesser exaction, they do more or less justify,* whether a separation from, or an opposition against, such a false Church, and in some cases enforce it.

When betwixt two Churches, differing in doctrine or worship, question is made, Whether of them is the true Church? it must be understood not in the first sense and absolutely (for so both are true, and, *ergo*, equally true Churches, for *vero nihil verius*), but respectively and comparatively and in the second sense, viz., whether of them maintains the doctrine, together with the worship, taught by Christ and His Apostles, in the greater measure of purity, and freer from error and superstition?

VISIBILITY, as to our purpose, imports such a state of a thing, as wherein it is evident and discernible more or less by sen-

* 'justly,' Qu.

sible marks; so as a man may infallibly know it thereby, and say, 'Here it is.' Which Visibility hath several degrees; and, applied to the Church, may be several ways considered.

First, a thing is visible in the highest degree, where it doth itself *ferire oculos*, as it were, and is so eminently and gloriously conspicuous, that a man, unless he wilfully shuts his eyes, cannot choose but see it. As the sun in the firmament is visible, when it shines forth in its greatest lustre at noon-day.

Secondly, in an inferior degree, when it is discernible even outwardly, but not at the first sight, or in any glorious splendour; but with due and serious and intent observation. As some stars in an overcast evening to them that with a steadfast eye look for them.

Thirdly, and in a yet lower degree, when it is not discernible outwardly, or at all, to any but those only who more nearly partake of it. As the light of a candle in a close private room is visible to those only that be in the room.

In every of which degrees Visibility, applied to the Church and the Members thereof, may be considered in a fourfold respect.

First, Of the men themselves.

Secondly, Of their general profession of Christianity.

Thirdly, Of their particular different tenents* from other men or Churches.

Fourthly, Of the truth of their particular tenents.

* See Sermon ix. ad Aulam, §. 32.

THESES.

FIRST, the Church in the first and most proper signification, viz. the Church of God's Elect, is wholly and altogether Invisible. But of this, the present Question is not.

Secondly, the Universal Christian Church upon earth hath never failed from the whole Faith, nor ever shall fail to the world's end, in such sort but that still in some part or other of it, it hath been, is, and shall be visible more or less, and that externally in the first or second degree of Visibility, both in the first and second respects.

Thirdly, whence it follows, that, understanding Truth in the first sense, there never hath wanted, doth, or shall want upon earth, a true and distinct Particular Church, in some place or other externally visible, more or less, in the degrees and respects above specified.

Fourthly,* every Particular Visible Church may fail, not only from the purity of Faith, but also from the whole Faith itself;† and so may cease‡ to be a true Christian Church, even so much as in the first sense; and may become no Church.

Fifthly, the Universal Christian Church, consisting of all Particular Visible Churches together and at once, may, by the prevailing of heresy and idolatry, be brought to such a general defection in the outward face of it, though not from the whole Faith, yet from the purity of Faith both in doctrine and worship, that for a long time together there may not be found upon earth (taking Church in the second sense) any true Particular Church visibly distinct from the rest, by their outward freedom from the common corruptions so much as in the second, much less in the first degree of Visibility, either in the third or fourth respects. And this is that part of the Church especially under Antichrist.

* 'Fourthly,' &c. In Qu. MS.
'Fourthly, every Particular Visible Church may fail, not only from the purity of the Faith, and so cease to be a true Christian Church so

much as in the first sense, and become no Church.'

† 'but also in itself.' Qu.

‡ 'and so cease.' Qu.

Sixthly, that even in the times of the greatest and most general Defection, there have been always particular men, and those eminent either for number, place, learning, or godliness, who, though living in the midst of corrupt Churches, and in the communion and visible profession thereof, have yet, according to the measure of their grace and knowledge, and the exigence* of times and occasions, either,

First, openly resisted the errors, superstitions, and corruptions of their times;† or, secondly, noted the corruptions as they grew, and complained of them, and desired reformation; or, thirdly, in private dissented from them in the explication‡ of the most dangerous doctrines, and kept themselves free from the foulest corruptions, though carried with the stream of the common apostasy to embrace the rest. Whereof we are to presume they repented, either explicitly, if God gave them to see their errors; or at leastwise implicitly, in the mass of their ignorant and unknown sins.§

Seventhly, although such particular men were not always so locally|| and generally separated from the rest, as to make a visible distinct Particular Church by themselves in the first degree of Visibility, yet in these men did the succession of the true Church, taking it comparatively and in the second sense, especially consist, and the Visibility of it continue in the time of universal defection. In which men the true Church¶ continues Visible always and perpetually, without interruption; and that ever in the fourth respect, viz. in regard to the acknowledged truth of their doctrine; in the third degree of Visibility, viz. in an inward estate and to themselves;*** and sometimes also,†† though perhaps not always, visible externally, and to their very enemies more or less, in the second degree of Visibility, and in the three first respects.

* 'exigency.' Qu. MS.

† Qu. MS. adds, 'and sometimes suffered for the same.'

‡ 'explications.' Qu. MS.

§ Compare Sermon vi. ad Populum, §.18.

|| 'not always locally.' Qu. MS.

¶ 'the Church.' Qu. MS.

** 'themselves.' The Queen's College MS. has a blank space left for this word.

†† 'also, and for the most part, though.' Qu. MS.

CONCERNING

THE CHURCH OF ROME.

THE Church of Rome or Roman Church is taken in a three-fold latitude.

First, Respectively to the place: for that Church which is in the city, or territory, or diocese of Rome. As we say the Church of Geneva, or the Church of Venice. And so St. Paul wrote an Epistle to the Church of Rome, as he did to the Churches of Corinth, Ephesus, and other particular cities.

Secondly, Respectively to the state of the Empire: for the whole Latin or Western Churches, as they are distinguished from the Greek and Eastern Churches, and from the African and Southern Churches.* Because by reason of the Empire these Churches had a nearer Communion among themselves than with other Churches; and acknowledge the Bishop of Rome as *primae Sedis Episcopum*, or the Patriarch of the West, as other Bishops were of the Greek, Asian, and African Churches.

Thirdly, Respectively to the Faith: for all particular Churches *aggregatim*, that acknowledge subjection to the present See of Rome, and entirely communicate with that Church† in the present doctrine and worship of it; and, namely and especially, as to our purpose, as it is comprised in the Council of Trent.

In which last sense taking the Church of Rome, it may be considered either,

First, *Materialiter*, as it is a Church professing the Faith of Christ, as we also do in the common points of agreement.

Secondly, *Formaliter*, and in regard of that we call Popery:

* ‘and from the African and lege MS.

Southern Churches.’ These words † ‘that Church.’ ‘the Church,’ do not appear in the Queen’s Col- Qu. MS.

viz. the point of difference, whether concerning the doctrine or worship: wherein we charge her to have added to the substance of Faith her own inventions.

Thirdly, *Conjunctim pro toto aggregato*, taking both together. As in any unsound body, we may consider the body by itself, the disease by itself,* and the body and the disease both together, as they make a diseased body.

* 'the disease by itself.' These words are not in the Qu. MS.

THESES.

FIRST, the Church of Rome, which of the three ways soever taken, is not the Universal Christian Church, but only a part thereof, or a Particular Church, or Churches.

Secondly, The Church of Rome, ever since the first plantation of it, hath* continued a true Church, taking Truth in the first sense, and considering the Church of Rome materially as it is a Church. But so hath the Church of England also, and many other Churches.

Thirdly, The Church of Rome hath no special promise or privilege, above other Particular Churches, of immunity from falling, either from the purity of Faith, or the whole Faith itself.

Fourthly, The Church of Rome, which way soever taken, hath long since failed from the purity of Faith, both in the doctrine and worship of it. And so, considered formally, in regard of those points which are properly of Popery, is become a false and corrupt Church; and is indeed an Anti-christian Synagogue, and not a true Christian Church, taking truth in the second sense.

Fifthly, The doctrinal errors of the Church of Rome do not directly and immediately overthrow the foundation of Faith, as the Heresy of the Arian Churches did; but mediately and by necessary consequence they do. As in the points of Merits,† Mass, Transubstantiation, &c.

Sixthly, The bare teaching, even *ex cathedra*, of the doctrinal errors of the Church of Rome, inasmuch as they do not overthrow the foundation but *ex consequenti* and indirectly, is not enough of itself alone to enforce or justify‡ an outward separation from her. But the imposing these errors upon the consciences of men, to be believed as of necessity, is damnable,

* 'has.' Qu. MS.

† 'of Merits,' 'of Free-Will, Me-

rits.' Qu. MS.

‡ 'and justify.' Qu. MS.

and doth not only justify a separation already made, but also bindeth *sub mortali* all true Christians to such a separation.*

Seventhly, The worship required and performed in the Church of Rome, is in most things superstitious, and in some lately idolatrous, and such as wherein a good Christian cannot lawfully communicate with her.

So as if there were nothing else, yet her idolatry were enough to justify and enforce such a separation.

* 'such a separation.' The Transcriber of the Queen's College MS. makes this section end here, having, perhaps, been betrayed into the omission of the following paragraph by its ending with the same words,

CONCERNING

PROTESTANT CHURCHES.

BY the Protestant Churches we understand those Visible Particular Churches, which, having by an external separation* freed themselves from the tyranny and idolatry of Popery, have more or less reformed the doctrine and worship from Popish Corruptions, and restored them more or less to the ancient and primitive purity.

Now such Churches may be considered either materially or formally.

First, Materially. When we consider those Churches, to whom it happens thus to be reformed, barely and precisely as Local and Particular Visible Churches, without respect had to their present reformed, or former corrupt estate, or to the substance of their Faith. As when we say, the Church of England, the Church of Denmark, the Church of Saxony, &c.

Secondly, Formally. The Protestant Churches may again be considered two ways, in respect of a twofold form.

First,† An outward and accidental form. Secondly, An inward, and, as it were, essential form.

The inward form ever giveth *esse*, but the outward often giveth *nomen*. The outward form is barely the state of reformation, which supposeth another former estate of deformity or corruption; out of which respect, they have the name and title of Protestant and Reformed‡ Churches. But the inward form is the substance of their Faith thus reformed, in their

* 'by an external separation having,' Qu. MS. paragraph is not in the Qu. MS.
 † 'First' and 'Secondly.' This ‡ 'Protestant Reformed.' Qu. MS.

doctrine and worship, from the corruptions wherewith Popery had infected it.

Which substance of Faith in the Protestant Churches may be considered differently, in the positive points of their Faith and in the negative. The positive points, or affirmative Articles of our Christian Faith, are they which make us true Christian Churches. For in our positive, we teach the ancient Faith of Christ and His Apostles and the Primitive Church. And in our negative, we reject the innovations and corruptions of latter times.

To the Question then,

Where our Church was before Luther?

I answer,

FIRST,* Taking our Protestant Churches materially, as namely the Church of England, it was where it is, viz. in England. Where, by the great Merely of God, it hath continued a Visible Christian Church from the first plantation of it by Apostles or Apostolical men, without interruption, though not always without error and corruption, unto this day. And herein it need not yield to the very† Church of Rome itself, or to any other Church under Heaven.

Secondly, Taking the Protestant Church formally, in respect of the substance of Faith, the professors of it have been in some degree or other visible, as well before Luther as since. But yet differently in the affirmatives and in the‡ negatives of our Faith.

Thirdly, Taking the Protestant Church formally, in respect of the outward form, viz. as under the state of reformation, we will freely confess, There was no such Reformed or Protestant Church before Luther as now there is. For a Church could not be said to be reformed till it was deformed. No more than a man can be said to be stript of a motley coat before he had it on.

Fourthly, The Protestant Church for substance of Faith in the affirmative doctrine, hath continued visibly from Christ and His Apostles without interruption, as well before as since Luther: according to the tenor of our second and third Theses.§ In which our adversaries and we agree, witness the Articles of our Church.

Fifthly, The substance of Faith, as concerning the worship maintained and practised in the Protestant Church of England, hath continued Visible in like manner in all ages, as well be-

* 'First' not in Qu. MS.

† 'very.' Not in Qu. MS.

‡ 'and the,' Qu. MS.

§ 'Thesis.' Qu. MS.

fore as since Luther. Witness our Service-Book, wherein our adversaries themselves are not able to except against any thing contained. Only they complain of some defects. But that belongs not to the affirmatives, but to the negatives of our Faith.

Sixthly, The negative tenets of our Protestant Church, wherein she renounceth the errors and idolatries of the Romish, for so much as they are negatives, are not capable of a visible profession, in such sort as affirmatives are. Yet thus far our Church was visible in respect of these negatives before Luther, viz. in the primitive times, for the first six hundred years especially; and some other ages after also, all Orthodoxal Particular Churches were visible professors of our Faith, inasmuch as in their Writings, where we were affirmative, they were affirmative also, where we are negative, they are either negative, or doubtful, or divided, or silent. Which very silence is enough to make them ours as to this intent; for who can expect they should purposely confute those errors, which were, many of them, not so much as thought on in their times?

Seventhly, In succeeding times, when errors and superstitions began to grow to some head, through the factions of Princes, the pride of the Clergy, and the common ignorance of the times, as, namely, about the year nine hundred, and thenceforth till the times of Luther, our Protestant Church was not visibly distinct from the corrupt Romish, according to the tenor of our fifth Thesis, but mingled with it. Yet it had* thus far forth visible professors; that there were in every age before Luther, some whose names and opinions have been by God's good Providence preserved in histories and records, notwithstanding the indirect endeavours of the adversaries† to root out the memory of them, who complained of the corruptions, and contradicted the doctrines and abuses of Popery, some in one point, and some in another, some in most of all those‡ points wherein we now dissent; and that in such degrees and respects of Visibility, as we have declared in our sixth and seventh Theses.§

* 'Yet had it.' Qu. MS.

† 'endeavour of the adversary.' Qu. MS.

‡ 'these.' Qu. MS.

§ 'Thesis.' Qu. MS.

PAX ECCLESIAE.

BY THE RIGHT REVEREND FATHER IN GOD,

ROBERT SANDERSON,

LATE LORD BISHOP OF LINCOLN.

LONDON:

PRINTED FOR RICHARD MARRIOTT.

1678.



PAX ECCLESIAE.¹

ALL the Decrees of God are eternal, and His Counsels therein unsearchable. In eternals there is neither *prius* nor *posterius*; and therefore,² considered in themselves, and as they are³ in God, all the Decrees of God concerning the whole course of man's Salvation, are *simul et semel*; and because eternal, therefore² also coeternal. Yet considered either in regard of their objects, or respectively to our apprehensions, there must some order be⁴ conceived among them,⁵ whereby one may be said to be before or after⁶ another⁷ *ordine naturae, et ordine intelligendi*. For, as in order of Nature the intention of the end is before the deliberation concerning the means, the cause before the effect, the subject⁸ before the properties and accidents, &c,⁹ so we are not able to conceive of the Decrees¹⁰ of God, unless we rank them in some such order as seemeth most agreeable to the condition of their proper objects: ¹¹ as *ex. gr.*¹² those wherein the end, or cause, or subject is decreed, to be, *ordine intelligendi*, before those¹³ wherein are decreed the means, effects, or accidents.

¹ Of this Work I have been able to see five different copies in manuscript. Two in the Bodleian, Rawlinson, A. 419, and C. 167; one among the Barlow MSS. in Queen's College Library; and two in the Library of C. C. C.

² 'therefore.' So in all four MSS. In previous Editions, '*ergo*.'

³ 'and as they are.' Rawl. A. and Qu. 'as they are.'

⁴ 'be some order.' Rawl. A. C. and Qu.

⁵ 'conceated amongst them.' Rawl. C.

⁶ 'or after.' These words do not appear in Qu. or C. C. C. 1 and 2.

⁷ 'another.' In Rawl. 'the other.'

⁸ 'subject.' In Qu. 'substance.'

⁹ No, &c, in Rawl. A.

¹⁰ In Rawl. C. 'conceive the decrees.'

¹¹ 'most agreeable to their proper object.' C. C. C. 2.

¹² '*exempli gratia*.' Rawl. C.

¹³ 'before those.' So in Rawl. A., in Qu., and C. C. C. In previous Edd. 'these,' as in Rawl. C.

But because the counsels of God herein are incomprehensible, and unsearchable¹ to our weak and finite understandings,² it hence cometh to pass,

First, That they who have the greatest serenity of natural³ understanding, and the largest measure of Divine Revelation withal, must yet confess⁴ the unfathomed⁵ depth of the judgments and ways of God, which are⁶ *abyssus multa*, rather to be admired than searched into : so as⁷ they are not to hope or look⁸ after such a way of opening these⁹ mysteries as shall be *quietativa intellectus*,¹⁰ so totally and absolutely, but that some difficulties will still remain,¹¹ to make us¹² cry out with St. Paul, *O altitudo!* Otherwise these¹³ great and hidden mysteries of God should be no mysteries.

Secondly, That men who cannot content themselves to be wise according to sobriety, whilst they have sought¹⁴ by searching into the counsels of God, to bring the mysteries of faith within the comprehension of reason, have become *vain in their imaginations*, and enwrapped themselves unawares in perplexed and inextricable difficulties : for the unwinding of themselves wherefrom, they have been sometimes afterwards¹⁵ driven to devise and maintain strange opinions, of very perilous and noisome consequence, which hath¹⁶ been the original of most heresies and schisms in the Church.

Thirdly, That men also of sober understandings, and keeping within¹⁷ the due bounds of their gifts and callings, yet by reason of the great difficulties¹⁸ of the things themselves, have much differed, and still will do¹⁹ in their judgments

¹ 'unsearchable, and incomprehensible.' Rawl. A.

² 'understanding.' Rawl. A. and C. C. C.

³ 'natural.' Not in Qu.

⁴ 'must yet confess.' In. Qu. 'must confess.'

⁵ 'unfathomed.' In Rawl. C. 'unfashioned.'

⁶ 'judgments of God and His ways which are.' Qu.

⁷ 'so as.' In C. C. C. 'so that.'

⁸ 'hope or look.' In C. C. C. 'look or hope.' In Rawl. C. 'spie or look.'

⁹ 'those.' Rawl. A.

¹⁰ '*intellectui*.' Rawl. A.

¹¹ 'will still remain.' Omitted in Rawl. C.

¹² 'them.' Rawl. C.

¹³ 'the.' Qu.

¹⁴ 'sought.' So in all five MSS. 'thought' in previous Edd.

¹⁵ 'sometimes afterwards.' So Qu. and C. C. C. 1 and 2. and Rawl. C. 'afterwards sometimes.' Rawl. A. as in previous Edd.

¹⁶ 'hath.' In Qu. 'have.'

¹⁷ 'keeping within.' In Rawl. A. 'keeping themselves within.'

¹⁸ 'the great difficulties of.' Omitted in Rawl. A.

¹⁹ 'will do.' In Rawl. C. 'will in their judgments do.'

and opinions one from another, in the ordering of God's Decrees concerning man's Salvation, each man abounding in his own sense, and following that way which seemeth¹ to him clogged with the least and fewest difficulties, according as he apprehendeth² them : although perhaps *in rei veritate*,³ or at the least⁴ in the apprehension of another man, those very difficulties may be more and greater.⁵ Hence the many differences amongst the Protestants between Lutherans and Calvinists, amongst the Romanists between the Jesuits and Dominicans ; and each of these again subdivided, concerning Predestination⁶ and Reprobation, the power of man's Free Will, the necessity,⁷ efficacy, and extent of Divine Grace, the concurrence of Grace with Free Will, the universality and application of Christ's Death, and some other points of like nature.

The premisses considered, that amid and notwithstanding all this⁸ variety of opinions, there may yet be preserved in the Church the unity both of⁹ Faith and Charity, these few things seem to me to be of profitable and important consideration.

I. That particular Churches would be as tender as may be in giving their Definitions and Determinations in such points as these,¹⁰ not astringing¹¹ those that live therein determinately either to the affirmative or negative, especially where there may be admitted a latitude of dissenting without any prejudice done either to the substance of the Catholic Faith, or to the tranquillity of the Church, or to the Salvation of the dissenter. In which respect the moderation of the Church of England is much to be commended, and to be preferred, not only before the Roman Church, which with unsufferable tyranny bindeth

¹ 'seemeth.' In Qu. 'seems.'

² 'apprehendeth.' In Rawl. C. 'apprehends.'

³ '*veritate*.' In Qu. '*virtute*.'

⁴ 'at the least.' In all five MSS. 'at least.'

⁵ 'and greater.' In Rawl. A. 'or greater.'

⁶ 'Predestination.' In Rawl. C. 'concerning the distinction of Reprobation.'

⁷ 'the necessity — universality.' In Qu. 'the necessity and application of Christ's Death.'

⁸ 'all this.' In Qu. 'all variety of.'

⁹ 'both of.' In Qu. 'unity of Faith.'

¹⁰ 'as these.' In Rawl. A. 'as some of these.'

¹¹ 'astringing.' In Rawl. A. 'binding.'

all her children, upon¹ pain of damnation, to all her determinations, even in those points which are no way² necessary to Salvation; but also before sundry other³ Reformed Churches, who have proceeded further this way than our Church hath done.

II. When, by reason of the importunate⁴ contentions and wranglings of learned men in particular Churches about points yet undetermined therein, differences shall be so far prosecuted, as to come to open sidings and part-takings⁵ and factions,⁶ as it happened in the Netherland Churches between the Remonstrants and Contra-Remonstrants, so as for the composing of the differences, and the maintenance of the public peace and tranquillity of the Church, it shall be needful for those Churches synodically to determine something in those points; that yet they would then also proceed⁷ no further in their Determinations than the present necessity should enforce them: not requiring men, especially in points of lesser consequence, to give, and, by Oath,⁸ subscription, or other like means, to witness their express⁹ positive assent to such Determinations; but permitting them to enjoy their own private opinions in their own private bosoms,¹⁰ so long as they keep them to themselves, and do not, by venting them unseasonably, disquiet the peace of the Church therewithal.

III. That Catechisms, for so much¹¹ as they are intended for the instruction of children and ignorant persons in the first principles of Christian Religion,¹² should not be farced¹³ with School points and private tenets; but contain only clear

¹ 'upon.' 'under.' Rawl. A.

² 'no way.' 'not any way.' Qu.

³ 'before other.' Rawl. C.

⁴ 'importunate.' So in all the five Manuscripts. In previous Edd. 'important.'

⁵ 'sidings and part-takings.' Compare Sermon vii. ad Populum, §. 23.

⁶ 'and factions.' 'of factions.' Qu.

⁷ 'would then also proceed.' In C. C. C. 1 and 2, 'would proceed.' In Rawl. A. and C. 'would even then.' In Qu. 'should even then.'

⁸ 'and by Oath.' In Rawl. A. and in Qu. 'and that by Oath.'

⁹ 'their express,' &c. In Rawl. C. 'their positive assent.'

¹⁰ 'their own private bosoms.' In Rawl. C. 'their private.' In C. C. C. 'their own bosoms.'

¹¹ 'for so much.' In Rawl. A. 'for as much.'

¹² 'Christian Religion.' In Rawl. A. 'principles of Religion.'

¹³ 'farced.' *stuffed, crammed.* In Rawl. C. 'faced.' In Rawl. A. and in Qu. 'forced.'

and undoubted truths,¹ and such as are necessary unto² Christian edification either in faith or life: the rest either altogether omitted, or but occasionally and sparingly³ touched at,⁴ and not positively and doctrinally and conclusively delivered, before the Church have⁵ agreed upon them.

IV. That private men would endeavour⁶ for so much ingenuity, as

1. To other men's speeches and writings, especially where they intend to discourse but *exoterice*⁷ and popularly, not accurately and *dogmaticæ*, to afford a favourable construction, without taking advantage at some excesses *in modo loquendi*,⁸ or exceptions at some improprieties and acyrologies, so long as they are orthodox in the main substance⁹ of their discourse.

2. Not to obtrude any tenet, as the received doctrine of any particular Church, which either is not¹⁰ expressly contained in the public Confession¹¹ of that Church, or doth not apparently result thence by direct and immediate consequence; though the wit of man may make¹² it seem, at length, and¹³ by continuance of discourse, to be probably deduced¹⁴ therefrom.

3. In their own writings to observe *formam sanorum* [2 Tim. i. *verborum*, and to abstain not only from suspected opinions,¹⁵ ^{13.} but as much as may be also from phrases and speeches obnoxious to ill construction.¹⁶ For, first, it is not enough, much less a thing to be glorified in, for a man to be able by subtilty

¹ 'truths.' In Rawl. C. 'truth.'

² 'to.' Rawl. A. and Qu.

³ 'and sparingly.' In Rawl. C. 'or sparingly.'

⁴ 'touched at.' In Rawl. A. and C. 'touched.' In Qu. 'touched on.'

⁵ 'have.' In Qu. 'hath.'

⁶ 'endeavour.' In Rawl. A. 'labour.'

⁷ 'but *exoterice*.' In Rawl. A. and C. and in C.C.C. 'to discourse *exoterice*.'

⁸ 'at some excesses or exceptions, at some improprieties, or acyrologies *in modo loquendi*.' Rawl. A. 'at some excesses or exceptions *in modo loquendi*, at some

improprieties.' C. C. C. 1 and 2.

'advantage at some excesses, or advantage at some improprieties and acyrologies.' Qu.

⁹ 'substance.' Rawl. C. 'system.'

¹⁰ 'either is not.' Rawl. A. 'is not either.'

¹¹ 'confessions.' Qu.

¹² 'may make.' So in all five MSS. In previous Edd. 'make.'

¹³ 'and.' Not in Qu.

¹⁴ 'deduced.' 'deduct.' Rawl. C. 'deducted.' Rawl. A.

¹⁵ 'from their suspected opinions.' Qu.

¹⁶ 'to ill construction.' In all five MSS. 'to construction.'

of wit to find loopholes how to evade,¹ and by colourable² pretences to make that, which through heat of passion, or violence of opposition hath fallen from him unadvisedly, to seem howsoever defensible; but he should have a care to suffer nothing to pass from him, whereat an ingenuous and dispassionate³ adversary, though dissenting from him in opinion, should yet have cause to take distaste or exception. And besides,⁴ it were a thing of very dangerous⁵ consequence in the Church, if every man should be suffered freely to publish⁶ whatsoever might by some strain of wit be made⁷ capable of a good construction, if of itself⁸ it sounded⁹ ill and suspiciously. For so, notions of Popish,¹⁰ or Puritanical, or other heretical, or schismatical¹¹ opinions might unawares be conveyed into¹² the minds, and impressions thereof insensibly wrought in the hearts of men, to the great damage of the Church, or prejudice to the Truth.¹³

4. To acknowledge freely,¹⁴ and readily to revoke, whatsoever either error *in re*, or misprision¹⁵ *in testimonio*,¹⁶ or exorbitancy *in modo loquendi*, hath passed from their pen, when it shall be fairly shewed them, and their judgments convinced thereof, than¹⁷ rather to seek to relieve themselves by excuses, colours, or evasions.

5. That private men in particular¹⁸ Churches, who dissent in points yet undetermined by the Church, should not uncharitably interchange each other with heresy or schism,

¹ 'loopholes to evade.' Rawl. C.

² 'by some colourable.' Rawl. C.

³ 'ingenuous and dispassionate.' So C. C. C. 1 and 2, as in previous Edd. In Qu. 'and whereat ingenious and dispassionate.' In Rawl. A. and C. 'an ingenious and dispassionate.'

⁴ 'And besides.' In Rawl. A. 'Secondly.'

⁵ 'of dangerous.' Rawl. C. and Qu.

⁶ 'to publish freely.' Rawl. C. and Qu.

⁷ 'whatsoever by some strain of wit might be made.' Rawl. C.

⁸ 'if it of itself.' Qu.

⁹ 'sounded.' In Rawl. C. 'sound.'

¹⁰ 'Popish.' In C. C. C. 1 and 2. 'Papists.'

¹¹ 'or schismatical.' So in all five MSS. In previous Edd. 'heretical, schismatical.'

¹² 'into.' In Qu. 'in.'

¹³ 'to the Truth.' In Qu. and C. C. C. 'of the Truth.'

¹⁴ 'To acknowledge and readily.' Rawl. C. 'To acknowledge readily and freely to revoke.' Qu.

¹⁵ 'whatsoever or misprision.' Rawl. C. The blank space would not hold a word of more than four letters at the very most.

¹⁶ 'in testimonio.' All the five MSS.

¹⁷ 'than.' Omitted in Rawl. A.

¹⁸ 'in particular.' In Qu. 'of particular.'

or any such like imputation¹ for so dissenting, so long as they both consent² to the whole doctrine and discipline of the said Church maintained and established. As *ex. gr.* in the points now so much debated among the Divines of the Church of England between the Calvinists and Arminians, for I must take liberty for distinction's sake to express them by those names they³ usually bestow the one upon the other,—why should either⁴ those men on the one side be branded with Popery, who misliking Calvin's opinion, rather choose to follow the Arminians;⁵ or those on the other side with Puritanism, who, finding less satisfaction in the way of Arminius, rather adhere to⁶ Calvin? so long as both the one⁷ and the other do entirely and freely and *ex animo*⁸ subscribe to the Articles, the Common Prayer Book,⁹ and that of Consecration, and do not rent the unity, or disturb the peace of the Church by those differences.¹⁰

II.¹¹ *Periculum Schismatis.*¹²

Forasmuch as here in England the differences, which before were¹³ but private concerning the points of Arminianism, have been of late so far brought upon the public stage, by occasion of the passages betwixt Mr. Montague¹⁴ and his opposers, as that a dangerous schism is like¹⁵ to ensue thereupon, unless by the goodness of God, and the wisdom of the Church and State, it be speedily prevented, those general

¹ 'any such imputation.' Qu.

² 'assent.' Qu.

³ 'those names they.' In Qu. 'these names which they.'

⁴ 'either.' Omitted in Qu.

⁵ 'Arminians.' So in all five MSS. In previous Edd. 'Arminian.'

⁶ 'to.' In Qu. 'unto.'

⁷ 'both the one.' In Rawl. A. and C. 'both the one sort.' In Qu. 'both one sort.'

⁸ 'entirely, freely, *et ex animo*. Rawl. C.

⁹ 'the Articles, the Common Prayer Book.' So in all the five MSS. 'the Articles of the' in pre-

vious Editions.

¹⁰ 'those differences.' In Rawl. A. 'these dissensions.' In C. C. C. 'their difference.'

¹¹ 'II.' Omitted in Rawl. A.

¹² '*Scismatis*.' Rawl. C.

¹³ 'before were.' In Rawl. C. 'were heretofore.' In Rawl. A. and in Qu. 'were before.'

¹⁴ 'Montague.' The Writer of the Qu. Coll. MS. did not know this name. Here 'Mountayne' has been corrected to 'Montague.' Further on, V. 2, it is written 'Mortaigne.' In no case is it correctly given.

¹⁵ 'is like.' In Rawl. A. 'is likely.'

directions now already laid down¹ for the preservation of the Church's peace will not reach home for the securing² of our peace, and preventing further evils, as the case now standeth with us;³ but it is needful the Church should interpose herein, both by further explanation of her Doctrine in the points questioned, and by the exercise of her Discipline upon such persons as will not rest in⁴ her Determinations.

And this necessity will the more appear, if we consider⁵ upon what advantages the Arminian party⁶ hath, and yet doth gain⁷ strength to itself, viz.⁸

I. The weakness of sundry⁹ of those Exceptions, which were taken at Mr. Montague's Answer to the Gagge,¹⁰ by those that¹¹ first openly engaged themselves in¹² that business; which hath not only brought prejudice to their persons, but also given disadvantage to the Cause, even in those Exceptions which were just and material.¹³

II. The publishing of Mr. Montague's Appeal with allowance, which both hath¹⁴ given confidence to sundry, who before were Arminians,¹⁵ but in secret, now to walk unmasked, and to profess their opinions publicly in all companies, and that with some disdain of opposition, and doth also encourage¹⁶ sundry others to shew¹⁷ an inclination to that side which they see to be countenanced in such public sort.

III. The plausibleness of Arminianism, and the congruity it hath in sundry points with the principles of corrupt Nature, and of carnal¹⁸ Reason. For it is a wonderful tickling to

¹ 'laid down.' In Rawl. A. 'set down.'

² 'securing.' Rawl. A. 'security.'

³ 'as the case,' &c. 'as in the case now standing with us.' Qu.

⁴ 'rest in.' In Qu. 'rest upon.'

⁵ 'consider.' In Qu. 'consider duly.' In Rawl. A. 'consider only.'

⁶ 'party.' In Rawl. A. 'partly.' In Rawl. C. 'lalety.'

⁷ 'gain.' In Qu. 'gather.'

⁸ 'viz.' Not in Rawl. A.

⁹ 'of sundry' &c. In Rawl. A. 'of those sundry exceptions that were.' In Qu. 'of sundry of those exceptions taken.'

¹⁰ 'The Gagge of the Reformed Gospel,' published anonymously by Kellison, answered in 1624 by 'A

gagge for the new Gospell? no: a new gagge for an old goose &c.

¹¹ 'that.' In C. C. C. 'who.' In Rawl. C. 'which.'

¹² 'in.' So in all the MSS. In previous Edd. 'for that business.'

¹³ 'material.' In Rawl. C. 'moral.'

¹⁴ 'which both hath.' In Qu. 'hath both given.' In Rawl. A. 'which hath given.'

¹⁵ 'were Arminians.' In Rawl. A., in Qu. and in C. C. C. 1 and 2. 'were but Arminians in secret.'

¹⁶ 'also encourage.' In Qu. 'encourage also.'

¹⁷ A blank space is left for this word in Rawl. C.

¹⁸ 'and of carnal.' 'and carnal.' Rawl. C.

flesh and blood¹ to have the powers of Nature magnified, and to hear itself² flattered, as if she carried the greatest³ stroke in the work of Salvation:⁴ especially when these soothings⁵ are conveyed under the pretence of vindicating the dispensations of God's Providence from the imputation of injustice.

IV. The harshness of that Opinion which Calvin and Beza are said to have held, and many⁶ learned men in our Church have followed,⁷ concerning the Decrees of Election and Reprobation, without respect had to Adam in the one, or to Christ in the other: whereas the inconveniences, which either do⁸ ensue, or seem to ensue upon that Opinion, may be fairly waived another way, and yet without Arminianism.

V. The manifold cunning of the Arminians to advance their own party,⁹ as viz.¹⁰

1. In pleading¹¹ for a liberty for every man to abound in his own sense in things undetermined by the Church, that so they may spread their own tenets¹² the more freely:¹³ whereas yet it is¹⁴ too apparent by their writings and speeches, that their intent and endeavour is to take the benefit of this liberty themselves,¹⁵ but not to allow it to those that dissent from them.

2. In bragging out some of their private tenets,¹⁶ as if they were the received, established Doctrine of the Church of England, by forcing the words of the Articles or¹⁷ Common Prayer Book to a sense which appeareth not to have been intended therein,¹⁸ as Mr. Montague hath done in the point

¹ 'to flesh and blood.' In Qu. 'of the flesh.'

² 'to hear itself.' In Rawl. A. 'to herself flattered.'

³ 'greatest.' In Qu. 'great.'

⁴ 'of Salvation.' In Rawl. C. 'of our Salvation.'

⁵ 'soothings.' In C.C.C. 1 and 2. 'two things.'

⁶ 'many.' In Rawl. A. 'some few.'

⁷ 'Church have followed.' So in all the MSS. In previous Edd. 'Church are said to have followed.'

⁸ 'which either do.' Qu. In Rawl. C. 'which do ensue.'

⁹ 'party.' In Rawl. A. 'part.'

¹⁰ 'viz.' Not in Qu.

¹¹ 'In pleading.' In Qu. 'For pleading.'

¹² 'their own tenets.' Rawl. A. 'their tenets.' Rawl. C.

¹³ 'the more freely.' In Qu. 'more freely.'

¹⁴ 'whereas yet it is.' In Qu. 'yet it is.' In Rawl. C. 'whereas it is.'

¹⁵ 'themselves.' In Rawl. C. 'to themselves.'

¹⁶ 'their private tenets.' In Rawl. C. 'their tenets.'

¹⁷ 'or.' In Qu. 'and of the.'

¹⁸ 'intended therein.' In Rawl. C. 'therein intended.'

of falling from¹ Grace. Whereas the contrary tenet, viz. of² the Final Perseverance of the righteous in Grace and Faith,³ may be by as strong evidence⁴ every way, and by as natural deducement,⁵ collected out of the said books: as shall be easily proved, if it be required.⁶

3. In seeking to derive⁷ envy upon the opposite opinions, by delivering them in terms odious, and of⁸ ill and suspicious sound: as viz.⁹ Irresistibility of Grace, Irrespective Decree, &c.¹⁰ Whereas the soberer Divines of the opposite party¹¹ ordinarily¹² do not use those terms, nor yet well¹³ approve of them, unless understood *cum grano salis*. But themselves rather are so exorbitant in their phrases and terms, as it were well if a good quantity of salt¹⁴ could so correct some of them, as to render them,¹⁵ if not wholesome, at least¹⁶ savoury.

4. Which is the most unjust and uncharitable course¹⁷ of all the rest, and whereby¹⁸ yet I verily¹⁹ think they have prevailed more²⁰ than by all the rest, in seeking to draw²¹ the persons of those that²² dissent from them into dislike with the²³ State, as if they were Puritans, or Disciplinarians,²⁴ or at the least that way affected.²⁵ Whereas

¹ 'falling from.' In Rawl. A. and in C.C.C. 'falling away from.'

² 'viz. of.' In Rawl. A. 'viz. the.'

³ 'in Faith and Grace.' Rawl. A.

⁴ 'evidence.' In Rawl. A. 'evidences.'

⁵ 'deducement.' In Rawl. A. and in C. C. C. 'deducements.' In Qu. 'seducement.'

⁶ 'if it be required.' In Qu. 'if required.'

⁷ 'to derive.' In Rawl. A. 'to draw.'

⁸ 'and of.' Omitted in Rawl. C.

⁹ 'as viz.' In Qu. 'viz.'

¹⁰ 'Decree, &c.' In C. C. C. ' &c.' is omitted.

¹¹ 'party.' In Rawl. A. 'part.'

¹² 'ordinarily' &c. In Rawl. C. 'do not ordinarily use.' In Qu. 'do ordinarily not.'

¹³ 'nor yet well' &c. In Qu. 'not yet well approved by them.'

In Rawl. C. this whole clause down to 'salis' is omitted.

¹⁴ 'salt.' Compare §. 15 of Sermon iv. ad Populum, preached in 1621.

¹⁵ 'as to render them.' Omitted in Qu.

¹⁶ 'at least.' In Rawl. C. 'yet at least.'

¹⁷ 'course.' Not in Qu.

¹⁸ 'and whereby.' In Rawl. C. 'and yet I.'

¹⁹ 'verily.' Not in Rawl. A.

²⁰ 'prevailed more.' In Rawl. C. 'more prevailed.'

²¹ 'draw.' In Rawl. C. 'with-draw.'

²² 'that.' In Rawl. A. 'who.'

²³ 'that dissent from them within the' of Puritanism, or at least to be that way affected.' Rawl. C. a space left for three letters at most.

²⁴ 'Disciplinarians.' See Sermon ix. ad Aulam, §. 30.

10. The Questions in debate¹ are such as no way touch upon Puritanism, either off or on.

20. Many of the dissenters have as freely and clearly declared their judgments, both by preaching² and writing against all Puritanism and Puritanical Principles, both before and since they were interested in these Controversies, as the stoutest Arminian in England hath done. I am not able to pronounce absolutely³ of other men; but so far as⁴ hath occurred⁵ to my observation, I dare say it, I find more written against the Puritans and their opinions, and with more real satisfaction, and upon no less solid grounds, by those that have, and do⁶ dissent from the Arminian tenets, than by those that have and do⁷ maintain them. Could that blessed Archbishop Whitgift, or the modest and learned Hooker have ever thought, so much as by dream, that men concurring with them in opinion should, for some of those⁸ very opinions, be called Puritans?

III. *Series Decretorum Dei.*

Sithence most of the differences now in question do arise from the different conceits which men have concerning the Decrees of God about man's Salvation,⁹ and the execution of those Decrees, it could not but be a work of singular use for the composing of present, and the preventing of further¹⁰ differences, if some learned and moderate men¹¹, all prejudice and partiality laid aside, would travail with faithfulness and sobriety in this argument: viz. so to order¹² those¹³ Decrees consonantly to the tenor of the Scriptures, and the Doc-

¹ 'in debate.' In Rawl. A. 'which are in.'

² 'both by preaching.' So in all the MSS. In previous Edd. 'by preaching.'

³ 'absolutely neither of other.' Qu. and Rawl. A.

⁴ 'so far as.' In C.C.C. 2. 'for so much as hath occurred.'

⁵ 'occurred.' In Rawl. C. 'come.'

⁶ 'and do.' In Rawl. A. 'or do.'

⁷ 'and do.' So in all the MSS. In previous Edd. 'or do.'

⁸ 'those.' So in all the MSS. In previous Edd. 'these.'

⁹ 'about man's Salvation.' These words do not appear in Qu.

¹⁰ 'further.' In Rawl. A. 'future.'

¹¹ 'men.' In Rawl. A. 'man.'

¹² 'so to order.' In Rawl. C. 'for to order.'

¹³ 'those.' In Qu. 'the.'

trine of the ancient Church, as to avoid those ¹ inconveniences into which the extreme opinions on both hands do run.²

For, considering often ³ with myself, that the abettors of either extreme are confirmed in their ⁴ opinions, not so much from the assurance of their own grounds, as from the inconveniences that attend the opposite extreme, I have ever thought that a middle way between both ⁵ might be fairer and safer ⁶ to pitch upon, than either extreme. What therefore,⁷ after ⁸ some agitation of these points, both in argument with others upon occasion, and in my private and serious thoughts, I have conceived concerning the ordering of God's Decrees, desiring ever to keep myself within the bounds of Christian sobriety and modesty, I have at the request of some friends here distinctly laid down, not intending hereby ⁹ to prescribe unto other men, nor yet to tie ¹⁰ myself to mine own present judgment, if I shall see cause to alter it; but only to present to the abler judgments of some learned friends that way which hath hitherto given me better satisfaction than any other, and which I have not yet observed to be subject to so great difficulties and inconveniences, neither in the substance of the matter, nor ¹¹ in the manner of explication, as the ways which either ¹² the rigid Calvinists or the Arminians have taken.

Quaere then, whether or no ¹³ the eternal Decrees of God concerning man's Salvation ¹⁴ may not be conveniently conceived by us ¹⁵ in this order? viz. That He decreed, ¹⁶

Decretum
Creationis.
In the margin of Rawl.
C.

I. To make Himself glorious by communicating His goodness in producing powerfully, and *ex nihilo*, a world of creatures, and among the chiefest of them Man, endued with a

¹ 'those.' In Rawl. A. 'the.'

² 'on both hands do run.' In Qu. 'on both hands run.' In C.C.C. 1 and 2. 'on both sides do run.'

³ 'often.' In Qu. 'many times.'

⁴ 'their.' In Qu. 'their own.'

⁵ 'between both.' Not in C.C.C. 1 and 2.

⁶ 'safer.' In Rawl. C. 'easier.'

⁷ 'What therefore.' In Qu. 'What then.'

⁸ 'after.' So in Rawl. A., Qu. and C. C. C. 1 and 2. In previous Edd. and Rawl. C. 'upon.'

⁹ 'hereby.' In Rawl. A. 'thereby.'

¹⁰ 'to tie.' In Qu. 'so tying.'

¹¹ 'nor.' In Rawl. A. 'nor yet.'

¹² 'the ways, which either.'

These words do not appear in Qu.

¹³ 'whether or no.' In Qu. 'whether the eternal.'

¹⁴ 'man's Salvation.' In C.C.C. 1 and 2. 'the Salvation of man.'

¹⁵ 'conceived by us.' So C.C.C. 1 and 2, and Qu. In previous Edd. as in Rawl. A. and B. 'conceived in this order.'

¹⁶ 'decreed.' In Qu. 'designed.'

reasonable soul and organical body, as a vessel or subject¹ capable of grace and glory.

2. To enter into a Covenant with this reasonable Creature, commonly called the first Covenant or the Covenant of Works,² to bestow upon him life and glory, if he should continue in his obedience; but if otherwise, then not³ only to be deprived of the blessedness⁴ covenanted, but also and instead thereof to be punished with actual⁵ misery and eternal death.

3. After this Covenant made, to leave man *in manu consilii sui*,⁶ by the free choice of his own will, to lay hold⁷ either on life by obedience, or by transgression on death.

4. To permit man thus left to himself to fall into sin, and so to⁸ cast himself out of the Covenant⁹ into a state of misery, and corruption, and damnation: with a purpose in that permission¹⁰ to serve Himself of man's Fall,¹¹ as a fit occasion whereby to magnify Himself and His own glory yet further, in the manifestation of His infinite both¹² Justice and Mercy.

5. That the whole species of so noble a creature¹³ might not perish everlastingly and without all¹⁴ remedy, to provide for mankind, *pro genere humano*,¹⁵ thus fallen¹⁶ a most wise, convenient, and sufficient¹⁷ means of reparation, and Redemption, and Salvation, by the satisfactory¹⁸ and me-

¹ 'or subject.' So in all five MSS. In previous Edd. 'and subject.'

² So in all the MSS. In previous Edd. 'the first Covenant of Works.'

³ 'then not' &c. In Rawl. C. 'thou shalt not only be deprived.'

⁴ 'the blessedness.' In Qu. 'that blessedness.' In C. C. C. 1 and 2. 'deprived of blessedness.'

⁵ 'actual.' In Rawl. A. and C. 'eternal.'

⁶ Ecclus. xv. 14. *Deus ab initio constituit hominem, et reliquit illum in manu consilii sui.* Vulgat.

⁷ 'to lay hold.' In Qu. 'to hold.'

⁸ 'and so to.' In Qu. 'and to.'

⁹ 'the Covenant.' So in all the MSS. except Rawl. A., which has 'this Covenant.' In previous Edd. 'that Covenant.'

¹⁰ 'in that permission.' In

Rawl. C. 'in part permitting.'

¹¹ 'of man's Fall.' In C. C. C. 1. 'in that Fall, of a fit.'

¹² 'of His infinite both.' In C. C. C. 1 and 2. 'of both His infinite.'

¹³ 'That so noble a species of so noble a creature.' Rawl. C.

¹⁴ 'all.' In Qu. 'without remedy.'

¹⁵ '*pro genere humano.*' In Rawl. C. these words are omitted. In Rawl. A. 'for mankind indefinitely, *pro genere humano.*'

¹⁶ 'thus fallen.' These words, given in all the MSS. except Rawl. C., do not appear in previous Edd.

¹⁷ So in all the MSS. In previous Edd. 'convenient and sufficient.'

¹⁸ 'satisfactory.' In Qu. and Rawl. A. 'satisfaction.'

ritorious death and obedience of the incarnate Son of God, Jesus Christ, God blessed for ever.¹

6. In this Jesus,² as the Mediator,³ to enter into a second Covenant with mankind, commonly called the New Covenant, or the Covenant of Grace,⁴ that whosoever should lay hold on Him by a true and steadfast Faith,⁵ should obtain⁶ remission of sins, and eternal life; but he that should not believe,⁷ should perish everlastingly in his sins.

7. Lest this Covenant should yet⁸ be ineffectual, and Christ die in vain,—because, left to themselves, especially⁹ in this wretched estate of corruption, none of the sons of Adam could *de facto* have repented and believed in Christ,¹⁰—for the glory of His grace, to elect and call¹¹ a certain number of particular persons out of the corrupted¹² lump of mankind, to be advanced into this new Covenant, and thereby entitled¹³ unto Salvation; and that without any cause or motive¹⁴ at all in themselves, but merely *ex beneplacito voluntatis*, of His own free grace and good pleasure in Jesus Christ, pretermittin¹⁵g and passing by the rest to perish justly in their sins.¹⁶

8. To confer in due season upon the persons¹⁷ so elected, all fit and effectual means and graces needful for them unto Salvation, proportionably to their personal¹⁸ capacities and conditions: as namely,¹⁹

¹ 'for ever.' In Rawl. C. 'for ever. Amen.'

² 'Jesus.' In the Qu. MS. 'Jesus Christ.'

³ 'the Mediator.' In Rawl. A. and in C. C. C. 1 and 2. 'a Mediator.'

⁴ In Rawl. C. 'the New Covenant of Grace.'

⁵ 'Faith.' Rawl. C. subjoins, 'and repent of his sins.'

⁶ 'obtain.' So in all the MSS. In previous Edd. 'attain.'

⁷ 'not believe.' In Rawl. A. 'not repent nor believe.'

⁸ 'yet.' Omitted in Rawl. A. and C. and in Qu.

⁹ 'especially.' Not in Qu.

¹⁰ 'believed in Christ, and repented.' Qu.

¹¹ 'call.' So in all the MSS.

In previous Edd. 'cull.'

¹² 'corrupted.' In Rawl. A. and C. and in Qu. 'corrupt.' In C. C. C. 1 and 2. 'out of the lump.'

¹³ 'entitled.' In C. C. C. 1. 'intituled.'

¹⁴ 'motive.' Rawl. A. 'emotion.'

¹⁵ 'pretermittin^g.' In Qu. 'permitting.'

¹⁶ 'in their sins.' Rawl. A. adds here, 'and unbelief, which pretermis- sion and dereliction is that which we commonly call Reprobation.'

¹⁷ 'upon the persons.' In Qu. 'upon persons.'

¹⁸ 'personal.' In Qu. 'proper.'

¹⁹ 'as namely.' Not in Qu. In Rawl. A. and C., and in C. C. C. 1, 2. 'and viz.'

1^o. Upon Infants¹ that die before the use of reason, the Sacrament of Christian Baptism, administered and received² in the name³ and faith of the Church.⁴ Which Sacramental Grace, to such persons as for want⁵ of the use of reason never come to be capable of the habitual or actual graces of Faith and Repentance,⁶ we are to judge to be sufficient for their Salvation.

2^o. Upon men that come to the use of Reason, sooner or later such a measure of Faith in the Son of God, of Repentance from dead works, of new and holy obedience to God's Commandments, together with final perseverance in all these, as in His excellent wisdom He seeth meet, wrought⁷ and preserved⁸ in them outwardly by the Word and Sacraments, and inwardly by the operation of His Holy Spirit shed⁹ in their hearts, whereby, sweetly and without constraint, but yet¹⁰ effectually, their understandings, wills,¹¹ and affections are subdued to the acknowledgment and obedience of the Gospel; and both these are done ordinarily, and by ordinary means.

3^o. Into¹² some men it may be, and extraordinarily, especially in the want of ordinary means,¹³ God may infuse Faith, and other Graces accompanying Salvation, as also, *modo nobis incognito*, make supply unto¹⁴ Infants unbaptized¹⁵ some other way, by the immediate¹⁶ work of His Holy and Almighty Spirit, without the use of the outward means of the Word and Sacraments. Of which extraordinary work we¹⁷ cannot pronounce too sparingly; the special use whereto it serveth us

¹ 'Upon Infants.' In C. C. C. ance in all these, wrought.'

¹ and ². 'To Infants.'

² 'and received.' Not in Qu.

³ 'in the name.' Not in C. C. C.

¹ and ².

⁴ 'Church. Which Sacramental.' So in Rawl. A. and in C. C. C. ¹ and ². In Qu. and Rawl. C. as in previous Edd. 'Church, with Sacramental.'

⁵ 'as for want.' In Qu. 'as want the use of reason, and never come to be capable.'

⁶ 'Faith and Repentance.' So in Rawl. A. and C. and in C. C. C. ¹, ². In Qu. as in previous Edd. 'Faith, Repentance, &c.'

⁷ 'meet, wrought.' In Rawl. A. 'meet, together with final persever-

⁸ 'and so preserved.' Rawl. C.

⁹ In Qu. 'of the Spirit shed abroad.'

¹⁰ 'but yet.' In Qu. 'yet.'

¹¹ 'understandings, wills.' In Qu. 'understanding, will.'

¹² 'Into.' In Rawl. C. 'Unto.'

¹³ In Rawl. A. 'Into some men (it may be extraordinarily, especially in the want of ordinary means.)'

¹⁴ 'unto.' In Qu. 'into.'

¹⁵ 'unbaptized.' In Qu. 'baptized.'

¹⁶ 'immediate.' In Rawl. C. 'mediate.'

¹⁷ In Qu. 'Of which extraordinary we.'

being¹ the suspending of our censures, not rashly to pass the sentence of damnation² upon those Infants, or any³ that want the ordinary outward means, since we are not able to say how God in His infinite Power can, and how⁴ in His rich Mercy He hath, doth, or will deal with them.

9. Thus much concerning⁵ the Salvation of those⁶ whom God hath of His free grace⁷ elected thereunto. But with the Reprobates,⁸ whom He hath⁹ in His justice appointed to destruction, He dealeth in another fashion : as concerning whom He hath decreed either,¹⁰

10. To afford¹¹ them neither the extraordinary, nor so much as but the outward and ordinary means of Faith : Or else

20. In the presence of the outward¹² means of the Word and Sacraments¹³, to withhold the inward concurrence of His enlightening and renewing Spirit to work with those¹⁴ means, for want¹⁵ whereof they become ineffectual to them for their good, working¹⁶ upon them either¹⁷ malignantly,¹⁸ so as their hearts are the more hardened thereby in sin and unbelief, or infirmly,¹⁹ so as not to work in them a perfect Conversion, but

¹ 'serveth us, being.' In Rawl. C. 'serveth, as being.' In C.C.C.

2. 'it serveth, being.'
² 'damnation.' In Qu. 'condemnation.'

³ 'or any.' So in C.C.C. 1, 2. In previous Edd. 'or men.' In Qu. 'and men.'

⁴ 'and how.' In Qu. 'or how.'

⁵ 'concerning.' In Qu. 'concerns.'

⁶ 'the Salvation of those.' In Rawl. A. 'the Decrees of their Salvation.'

⁷ 'grace.' In Rawl. A. in Qu. and in both C.C.C. 'mercy.'

⁸ 'Reprobates.' In Qu. 'His Reprobates.' In Rawl. C. 'the Reprobate.'

⁹ 'whom He hath.' In Rawl. A. 'whom (by leaving them as He found them) He hath.' In Qu. 'whom He with His Justice hath appointed.'

¹⁰ 'decreed either.' In Qu. 'decreed, 10. neither to order them the extraordinary.' In Rawl. A. 'ever-

lastingly purposed either.'

¹¹ 'To afford' &c. In Rawl. C. 'decreed them neither the extraordinary, nor so much as the affording outward or'—

¹² 'outward.' In Qu. 'ordinary.'

¹³ 'Sacraments.' In Rawl. C. 'Sacrament.'

¹⁴ 'with those.' In Rawl. C. 'all those.'

¹⁵ 'for want.' In Rawl. A. and C. 'for the want.' In Qu. 'by the want.'

¹⁶ 'working.' In Rawl. C. 'and working.'

¹⁷ 'either first malignantly.' Rawl. A.

¹⁸ 'malignantly.' In Rawl. A. '(but yet through their default only) so as.' The Qu. MS. exhibits this in an inverted order : 'infirmly, so as not to work in them a perfect conversion; or malignantly, so as their hearts are hardened the more in sin.'

¹⁹ 'or infirmly.' In Rawl. A. 'or, secondly, infirmly.'

to produce, instead of the gracious habits of Sanctification, as Faith, Repentance, Charity, Humility, &c, some weak and infirm shadows of those Graces, which for their formal semblance¹ sake do sometimes bear the name² of those Graces³ they resemble, but were never in the mean time the very true⁴ Graces themselves, and in the end are discovered to have been false, by the want⁵ of perseverance.

IV. *Utilitas hujus Seriei.*

This way of ordering the Decrees of God, besides that it seemeth to be according to the mind of the Scriptures,⁶ and to hold correspondency⁷ more than any other, as well with the writings of the ancient⁸ Doctors of the Church, especially of St. Augustine and those that followed him, as with the present Doctrine contained in the Articles and Liturgy of the Church of England, it hath also⁹ three notable commodities, viz.

I. Hereby are fairly¹⁰ avoided the most and greatest of those¹¹ inconveniences into which both extremes¹² run, or at the least which either extreme presseth sore upon the opposite extreme. The Arminian accusing the rigid Calvinist as a betrayer¹³ of the Justice of God, for placing the Decree of Reprobation before that of Adam's Fall; and being again accused by him¹⁴ as an enemy to the Grace of God, for making the efficacy thereof to depend upon man's Free Will. Whereas both the glory of the Justice of God, and the efficacy of the Grace of God, are preserved entire by following this¹⁵ middle way. For,

I. There can lie¹⁶ no imputation upon the Justice of God,

¹ 'formal semblance.' In Qu. 'correspondence.'
'form and semblance.'

² 'name.' In Rawl. A. 'names.'

³ 'which for their formal — those Graces.' Omitted in Rawl. C.

⁴ 'the very true.' In Rawl. C. and in Qu. 'the true.'

⁵ In Qu. 'to be false for the want.'

⁶ 'the Scriptures.' In Rawl. C. 'holy Scriptures.'

⁷ 'correspondency.' In Rawl. A. and C. and in C. C. C. 1 and 2.

⁸ 'ancient.' In Qu. 'old.'

⁹ 'also.' Not in Qu. or C. C. C. 1, 2.

¹⁰ 'fairly.' Omitted in Rawl. A.

¹¹ 'of those.' Not in Qu.

¹² 'both extremes.' In Qu.

'both those extremes.'

¹³ 'betrayer.' In Rawl. C. 'betrayings.'

¹⁴ 'by him.' In Qu. 'of him.'

¹⁵ 'this.' In C. C. C. 1, 2. 'of this.' In Qu. 'the.'

¹⁶ 'lie.' In Qu. 'be.'

though He have reprobated some and elected others,¹ who were both² equal in the sinful mass of corrupt Nature:³ rather His Mercy is to be magnified, in that⁴ He hath not reprobated all. Which if He had done, His Justice must yet⁵ have stood clear, though examined but even⁶ at the bar of human Reason; for so much as all had deserved⁷ to be Reprobates, and that most justly, for their sin in Adam. They that make the Decree of Reprobation to precede all respect to the Fall, are put to many difficulties how to express themselves so as to avoid cavil;⁸ and much ado they have⁹ to assert the Decrees¹⁰ of God from being howsoever unjust, being enforced to succour the Justice of God by flying to that absolute right and power He hath in and over the creature.¹¹ Whereas this way cutteth off an hundred of those cavils the Arminians commonly use,¹² and justifieth the proceedings of our most righteous God in all respects so clearly, that His justice, both in the Decrees themselves and in the execution thereof, is not only apparent, but even¹³ illustrious and glorious.

2. No impeachment is done to Grace by magnifying Nature, or to the efficacy of Grace, by enlarging the powers¹⁴ of Free Will. For whereas in very truth¹⁵ the Arminians cannot, with all their subtil distinctions¹⁶ and nice¹⁷ modifications escape it;¹⁸ but, when they have done and said what¹⁹ they can, they must stand guilty of symbolizing with the Pelagians both in their principles and conclusions,²⁰ in giving man's will

¹ 'have reprobated.' 'though He have elected some and reprobated others.' Rawl. A.

² 'both.' In Qu. 'but.'

³ 'corrupt Nature.' In Rawl. C. 'corruption.'

⁴ 'in that.' In C.C.C. 1 and 2. 'that.'

⁵ 'must yet.' In Qu. 'had yet stood.' In Rawl. C. 'might have yet stood.'

⁶ 'but even.' In Qu. 'even.'

⁷ 'had deserved.' In Qu. 'have deserved.'

⁸ 'cavil.' In Qu. 'cavils.' In Rawl. C. 'cavillation.'

⁹ 'and have much ado.' C.C.C. 1, 2.

¹⁰ 'the Decrees.' In Rawl. C. 'that Decree.'

¹¹ 'creature.' In Rawl. A. and in Qu. 'creatures.' In Rawl. C. 'that absolute right He hath in and power over the creatures.'

¹² In Rawl. A. 'use commonly.' In Qu. 'commonly' is omitted.

¹³ 'but even.' So in Rawl. A. and C. and in C.C.C. 1 and 2. In Qu. 'but most illustrious.' In previous Edd. 'but also.'

¹⁴ 'powers.' In Qu. 'power.'

¹⁵ In C.C.C. 1 and 2. 'the Arminians in very truth.'

¹⁶ 'distinctions.' In C.C.C. 1. 'disjunctions.'

¹⁷ 'nice.' In Qu. 'fine.'

¹⁸ 'escape, but.' Rawl. C.

¹⁹ 'all that.' Rawl. C.

²⁰ 'and conclusions.' In C.C.C. 1 and 2. 'and in their conclusions.'

and not God's Grace, the chiefest stroke, and the deciding,¹ and last determinating, and casting power in the work of conversion: by this way the will of man is so freed from all coactive necessity in the conversion of a sinner, as that yet the effect itself² dependeth not upon the determination of the will, as the immediate and prime³ cause, but upon the efficacy of Grace powerfully inclining the will thereunto.

II. Sundry passages in the Scriptures,⁴ and in the Writings⁵ of the Fathers, which have in them some appearance of contradiction, may, by following this way, be easily reconciled, and the sense of those passages oftentimes preserved even to the letter;⁶ which, by those that take the extreme ways,⁷ cannot be done so handsomely, nor without imposing upon the words a more remote and improper,⁸ if not also⁹ sometimes a strained and enforced sense: as viz.

1. Those places that speak of Election, as in, and by, and through Christ, making Him the foundation of that also, as of every other grace, with those that speak of it as issuing from the mere free¹⁰ pleasure and absolute will of God.

2. Those places that extend the fruit of Christ's death, and the benefit of the new Covenant to the whole world of mankind,¹¹ with those that restrain them to the Elect only.

3. Those places that ascribe the whole course¹² of man's Salvation, from his first calling unto grace, until his final consummation in glory, to the sole effectual working of the Holy Ghost, with those that attribute¹³ something or other¹⁴

¹ 'and the deciding' &c. In Qu. 'the chiefest stroke in the work.'

² 'the effect itself.' In Rawl. C. 'the effect dependeth.' In Qu. 'the effect itself dependeth not only on.' In Rawl. A. 'the effect itself is cast not upon.'

³ 'immediate and prime.' In Rawl. C. 'prime and immediate.'

⁴ 'Scriptures.' In Qu. 'Scripture.'

⁵ 'and in the writings.' In C.C.C. 1, 2. 'and writings.'

⁶ In Qu. 'oftentimes even to the better.'

⁷ 'ways' &c. In Qu. 'way, cannot be handsomely done without imposing.'

⁸ 'and improper.' In Rawl. A. 'or improper.'

⁹ 'if not also.' The last word is inserted from Qu. and C.C.C. 1 and 2. In Rawl. C. 'a more remote sense, if not sometimes a'—

¹⁰ 'mere free.' In C.C.C. 1 and 2. 'more free.' In Qu. 'from the free pleasure.'

¹¹ 'of mankind.' Omitted in Qu.

¹² 'course.' In Qu. 'cause.'

¹³ 'attribute.' In Rawl. A. 'ascribe.'

¹⁴ 'something' &c. In Rawl. C. 'something therein.' In Rawl. A. 'something or other, more or less.' In Qu. 'something to the power.'

therein, more or less, to the power and exercise of man's Free Will.

4. Those places that speak of the acts of Justification¹ and Sanctification, or of² the habits³ of faith and love and other inherent graces, as peculiar to the Elect only, with those that speak of them as common to the Elect with Castaways.⁴

5. Those places that speak of the said gracious acts and habits⁵ as permanent, and neither⁶ subject to a total intercession, nor possible⁷ to be finally lost, with those that speak of them as casual, and such as may be lost, either finally or totally,⁸ or both.

6. Those places that speak of obduration,⁹ ocecation, &c, so as if the blindness that is in the minds,¹⁰ and hardness that is in the hearts¹⁰ of wicked men were from God, with those that impute such¹¹ blindness and hardness in men¹² unto the wilfulness of their own corrupt hearts.¹³

III. Hence may be received¹⁴ good light for the cutting off of¹⁵ some, the moderating of other some, and the resolving of the rest of those questions which are now most in agitation, not only in the Church of England, but in many foreign Churches also, both Popish and Reformed, as namely¹⁶ amongst others, these :

1. Whether Christ were¹⁷ ordained a Mediator in the in-

¹ 'Justification.' In Rawl. C. 'Justice.'

² 'or of.' In Qu. 'and of.'

³ 'habits.' In Rawl. C. 'habit.'

⁴ 'Castaways.' In C.C.C. 1 and 2. 'the Castaways.'

⁵ 'gracious acts and habits.' So in all five MSS. In previous Edd. 'gracious habits.'

⁶ 'and neither.' So in Rawl. A. and C. and in C.C.C. 1 and 2. In Qu. as in previous Edd. 'as neither.'

⁷ 'nor possible.' In Qu. 'or.' In Rawl. C. 'not.' In C.C.C. 1 and 2. 'nor possibly.'

⁸ In Rawl. A. 'totally or finally.'

⁹ 'of obduration.' In Rawl. A. 'of obcaecation, obduration, and so, as if'— In Rawl. C. 'of ob-

duration, &c, so as that if.' In Qu. '&c, as if.'

¹⁰ 'minds — hearts.' In Qu. and in C. C. C. 1, 2. 'mind — heart.'

¹¹ 'such.' In Qu. 'the.'

¹² 'in men.' In Qu. 'of men.'

¹³ 'hearts.' In Qu. and C.C.C. 1, 2. 'heart.'

¹⁴ 'may be received.' In Rawl. A., which makes no commencement of a new paragraph here, 'may be conceived and received.'

¹⁵ 'cutting off of.' In Qu. and Rawl. A. 'cutting of.'

¹⁶ 'as namely.' So in all the MSS. In previous Edd. 'as viz.'

In Qu. 'as namely, 1. Whether.'

¹⁷ 'were.' So in all the MSS. In previous Edd. 'was.'

tention of God for mankind indefinitely,¹ or universally for all mankind, or only for the Elect?²

2. Whether all mankind have title to the second Covenant, and to the promises³ and conditions therein proposed, or the Elect only?

3. Whether the wicked, who are both⁴ disobedient and unbelievers, come under the sentence of condemnation formally, for their disobedience unto God in the breach of the first Covenant, or for their unbelief in not resting upon Christ and the promises of the new Covenant?

4. In what comprehension man is to be⁵ considered as the object of Predestination?

5. Whether or no God did elect men unto Salvation⁶ in a certain and determinate number?

6. Whether or no in electing men unto Salvation God had respect unto Christ?

7. Whether in electing⁷ some, and rejecting⁸ others, God was moved to decree as He did,⁹ from the faith or¹⁰ infidelity of the persons, or from any other thing whatsoever¹¹ foreseen in them?

8. Whether the Decrees of Election and Reprobation be absolute and peremptory¹² and inalterable,¹³ by God's determination of them to a certain effect; or so conditional¹⁴ and indeterminate, as that the performance or non-performance¹⁵ of something required on our part, may either establish or

¹ 'indefinitely.' In Rawl. C. 'indifferently.'

² 'or the Elect only.' Rawl. C.

³ 'promises' &c. In Qu. 'promise and conditions made to the Elect only.'

⁴ 'both.' Not in Qu.

⁵ man is to be' &c. In Rawl. A. 'man considered is the object.' In Qu. 'was it to be considered.'

⁶ 'men unto Salvation.' In Qu. 'man in a certain.' The Qu. MS. transposes paragraphs 5 and 6.

⁷ 'Whether in electing.' This paragraph appears as 8 in Rawl. A. which exhibits an additional paragraph, seventh in order, viz.

'Secondly, Whether that which we call Reprobation or the Decree

of Reprobation, be a real positive Decree, distinct from and opposite unto the Decree of Election; or denote nothing but a negation thereof or a non-electing.'

⁸ 'and rejecting.' In Rawl. A. 'and not others.'

⁹ 'as He did.' In Rawl. A. 'decree from the faith.'

¹⁰ 'or.' In Qu. 'and.'

¹¹ 'whatsoever.' Not in Qu. or in Rawl. C.

¹² 'peremptory.' In Qu. 'proportionable.'

¹³ 'unalterable.' Rawl. A.

¹⁴ 'conditional.' In Qu. 'conditionate.'

¹⁵ 'non-performance.' In Qu. 'not performance.'

disannul them? *Quod est quaerere*, Whether an¹ elect person, by disobedience and unbelief, can so cut² himself off from the Covenant of Grace, as to be damned; or a Reprobate by faith and repentance,³ so lay hold on the Covenant, as to be saved?

9. Whether a man⁴ by the power of his Free-Will can lay hold on Christ by faith, and convert⁵ himself from sin⁶ by repentance and new obedience, without the grace of special illumination from the Holy Spirit of God?

10. Whether the right use of Naturals be any cause to induce God to confer upon any man sufficient Grace for his Conversion?

11. Whether the same grace⁷ of spiritual illumination, which is sufficient and effectual for the conversion of one man, can in the same measure be ineffectual⁸ to another for his conversion?

12.⁹ Whether the efficacy of the grace of conversion depend upon the determination of man's Free-Will, so as by resisting it¹⁰ to make it ineffectual?

13. Whether Justification and Sanctification be proper to the Elect only?

14. What measure of assurance we have concerning the Justification of Infants¹¹ born of Christian Parents, and rightly baptized, before they come to the use of Reason to commit actual sin?

15. What measure of assurance we have¹² concerning the Salvation of such Infants, so baptized,¹³ if they die before they come to the use of Reason?

16. Whether a person once¹⁴ truly justified by his own actual faith, and sanctified with¹⁵ the Spirit of holiness, can

¹ 'Whether an.' In Rawl. C. 'Whether any.' In Qu. 'person' is omitted.

² 'cut.' In Rawl. A. 'call.'

³ 'by faith and repentance.' Omitted in Qu.

⁴ 'Whether a man.' In Rawl. C. 'Whether man.'

⁵ 'convert.' In Rawl. A. 'turn.'

⁶ 'from sin.' Omitted in Qu.

⁷ 'grace.' Omitted in Qu.

⁸ 'ineffectual.' So in all five MSS. In previous Edd. 'effectual.'

⁹ Paragraphs 12 and 13 are transposed in Qu.

¹⁰ 'resisting it.' In Qu. 'resisting,' as in previous Edd.

¹¹ 'of Infants.' In Qu. 'of such Infants.'

¹² 'We have.' In Qu. 'have we.'

¹³ 'so baptized.' Omitted in C.C.C. 1 and 2.

¹⁴ 'once.' Omitted in Qu.

¹⁵ 'sanctified with.' In C.C.C. 1 and 2, and in Rawl. C. 'sanctified by.'

fall wholly from the state of grace,¹ into the state of sin, in a total² loss of faith, and other habitual graces?

17. Whether a person so justified and sanctified, can at the last³ fall away finally, and be damned?

Concerning all which,⁴ and sundry other Questions of like nature and use, albeit it would require a large Treatise to give them but a right⁵ stating, much more a just discussion,⁶ yet the due consideration of the nine points premised⁷ in the former section, concerning the order of God's Decrees, may give us some light into them all: if not so far, especially in some of them, as⁸ to settle our judgments in a certain and infallible resolution, yet so far at least,⁹ as to keep our understandings within some competent bounds of sobriety and truth, that we neither lose ourselves in curious¹⁰ inquiries to little purpose, nor suffer our judgments to be envenomed with the poison either¹¹ of rank Pelagian Heresy, or Semi-Pelagian Popery, or quarter-Pelagian and Arminian¹² novelty.

¹ 'from the state of grace.' In Rawl. C. 'from the grace of God.'

² 'in a total.' In Rawl. C. 'into a total.' In Qu. 'to a total.'

³ 'at the last.' In Qu. 'at last.'

⁴ 'all which.' In Qu. 'which.'

⁵ 'give them but a right.' In C.C.C. 1 and 2. 'give them but right.'

⁶ 'discussion.' In Rawl. C. 'discussing.' In Rawl. A. 'dissention.'

⁷ 'nine points premised.' In

Rawl. A. 'nine points proposed.' In Qu. 'nine premisses.'

⁸ 'if not so far — as.' Omitted in Qu. In Rawl. C. 'if not so far in some as.'

⁹ In Rawl. A. 'at the least.' In Rawl. C. 'so far as at the least to keep.' In C.C.C. 1 and 2. 'yet so far as at least.'

¹⁰ 'curious.' In Qu. 'captious.'

¹¹ 'either.' Omitted in Qu.

¹² 'and Arminian.' In Qu. 'or Arminian.'

The matter which follows is immediately subjoined to the *Pax Ecclesiae* in both the C.C.C. MSS. and in Rawl. A. as if it had been considered to form part of that Work. In the Queen's College MS. it is prefixed, with this Title supplied in the handwriting of Bp. Barlow :

De Praedestinatione et Decretorum Dei Ordine,
secundum sententiam

1. Contra-Remonstrantium

2. Remonstrantium

Collectore D.D. Rob. Sanderson, Episcopo Lincolniensi.

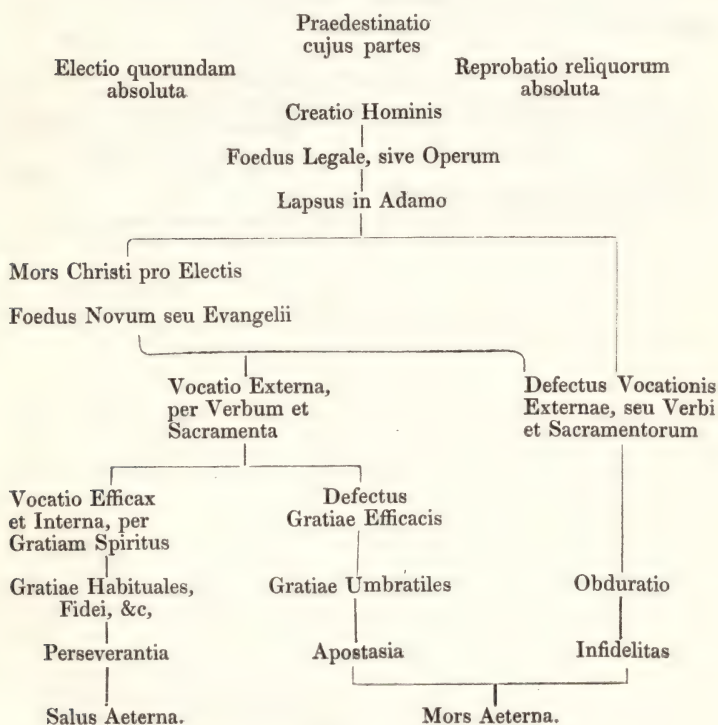
We may therefore assume that we have before us the 'five Schemes or Tables,' into which, on being chosen a Clerk of the Convocation in 1625, Sanderson, for his own satisfaction, reduced the Quinquarticular Controversy. See his Letter given by Hammond in his *Pacific Discourse of God's Grace and Decrees*, p. 11, reprinted below, pp. 298, 299, of this Volume, and Dr. Pierce's Letter to Isaac Walton, at the end of the *Life of Sanderson*.

No. 5783 of the Additional MSS. in the British Museum exhibits, pp. 16—20, an English Translation of these Five Schemes subjoined to the *Pax Ecclesiae*, with this Title prefixed, 'A Manuscript of Bp. Rob. Sanderson, concerning the modern Doctrine of Predestination, the Series of the Decrees of God, and of the causes and means of men's Salvation: also many questions, which are most in agitation, not only in the Church of England, but in many foreign Churches also, Popish and Reformed. Written by him, part in Latin, and part in English; but now (upon a certain emergent occasion) translated, and transcribed all in English, by one who heartily wisheth that Babel will be pulled down, and that the Spirit of God might build up Jerusalem.'

SERIES DECRETORUM DEI

CAUSARUMQUE ET MEDIORUM SALUTIS.

Prima Sententia rigide-Calvinianorum. Extrema Prima.*



* In Qu. 'rigide Calvinistarum.' In Rawl. A. 'rigide Calvinizantium.'

Sententia vel primo aspectu* dura, quaeque† urgetur duabus maxime difficultatibus. Altera, quod qui Lapsui Reprobationem praeficiunt, sive illi hominem ut creabilem, sive ut jam creatum, objectum Praedestinationis statuunt, videntur in Dei Justitiam simul et Bonitatem non leviter impingere; quibus utrisque nihil potest esse pugnantius, quam hominem nondum aliquid‡ mali sua culpa promeritum ad exitium destinare. § Altera, quod ex ista sententia sequi videatur, Deum, in praedicatione Verbi, fide agere haud satis integra,|| quinimmo illudere¶ humano generi, dum vocat ad Fidem in Christum et ad promissiones Novi Foederis pariter cum Electis Reprobos, ad quos tamen ex praecedanea sua intentione Mors Christi et Foedus Evangelii nullo modo aut pertinent, aut pertinere etiam possunt. **

* 'respectu.' Rawl. C.

† 'quae.' Rawl. A.

‡ In Qu. 'nondum aliquid promeritum.'

§ In Brit. Mus. 'be destined,' as if the Writer had 'destinari' in

the Copy which he used.

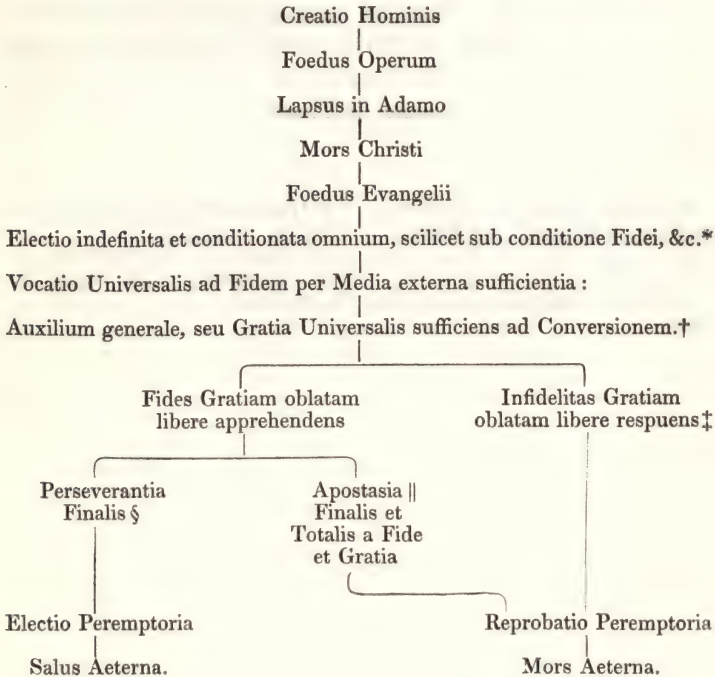
|| 'fide — integra.' In Rawl.

A. 'agere haud satis integre.'

¶ In Qu. and Rawl. A. 'serio illudere.'

** In Qu. 'aut pertinere possunt.'

Secunda Sententia, Arminianorum. Extrema Altera.



* 'Fidei, &c.' In Qu. 'Fidei.'

† 'Auxilium — ad Conversionem.' Not in Qu.

‡ In Qu. 'libere spernens.'

§ 'Finalis.' Omitted in Rawl. A.

|| 'Apostasia——et Gratia.' So placed in both the C. C. C. MSS. In Rawl. A. in Qu. and in Brit. Mus. this stands in the other column, under 'Infidelitas,' &c.

Qui sunt partium Arminianorum quid intus et serio sentiunt nondum illis libuit explicato profiteri, ne eos juxta cum Pelagio sentire nimis palam constaret et liquido, cujus olim damnatas Haereses ab Orco revocatas distinctiuncularum duntaxat sublimiore* lima politas instaurarunt de novo, non sanius locuti† sed cautius. In istorum dogmate tum alia‡ debent esse merito suspecta, tum illud inprimis ad suum auctorem Pelagium§ est relegandum, quo statuitur Divinae tum Praedestinationi, Decretum quam Gratiae efficaciam ex naturalium|| virium exercitio voluntatisque humanae inclinatione et determinatione omnino pendere.

* In the margin of C.C.C. 1. 'forsitan, subtiliore.' In Rawl. A. 'sublimiorum.' In Brit. Mus. 'with a finer file.'

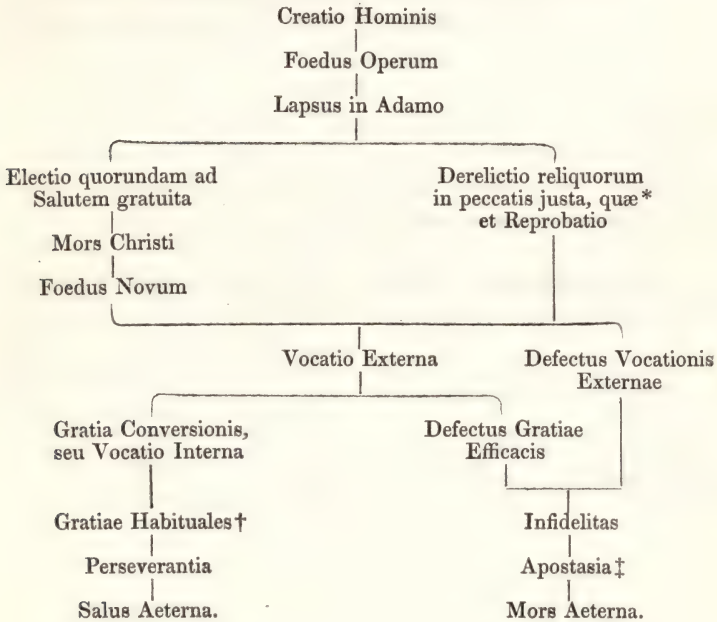
† In Qu. 'nec sanius sed cautius locuti.'

‡ 'tum alia.' In C.C.C. 2, and Rawl. A. 'cum alia.'

§ 'Pelagium.' Not in Rawl. A. || 'naturalium.' In Rawl. A.

'mortalium.'

Tertia Sententia, Intermedia Prima et Communior.



* In Qu. and Rawl. A. 'quæ est.'

† In Rawl. A. 'Gratiae Habitualis.'

‡ 'Apostasia.' Omitted in Rawl. A. in Qu.
and in Brit. Mus.

Haec est Opinio communior* eorum Theologorum qui a Lutheranis † et Arminianis Calviniani dicuntur: in qua fuisse et ipsum Calvinum non pauci existimant. Inque hoc uno differt haec sententia a prima illa et duriore Supra-Lapsariorum seu rigide‡ Calvinianorum,§ quod cum|| ista Electionem Lapsui¶ anteriorem faciat, haec demum collocat post praevisum** Lapsum humani generis in Adamo, adeoque e duobus ejus sententiae incommodis alterum facile vitat, constante nimirum ex ipso Lapsu Justitia Dei reprobantis quoscunque †† filiorum peccatoris Adami.†† At posteriore illa difficultate, de Vocatione scilicet§§ Reprobatorum ad promissiones Foederis et Fidem Christi,||| ex intentione Dei ad solos Electos praecise pertinentes, non minus urgentur qui hac via incedunt, quam durae illius sententiae assertores.¶¶

* 'communior sententia.' Rawl. A.

† 'a Lutheranis.' In Qu. 'et Lutheranis.'

‡ 'et rigide.' Rawl. A.

§ 'Calvinianorum.' In Qu. 'Calviniorum.'

|| 'quod cum ista faciat ... collocat.' So in Rawl. A. Elsewhere, 'quod quam illa facit ... collocet.'

¶¶ 'Lapsui.' Omitted in Qu. and in Rawl. A.

** 'post praevisum.' In Qu. 'post Lapsum in Adamo.'

†† quoscunque.' In Qu. 'quosque.'

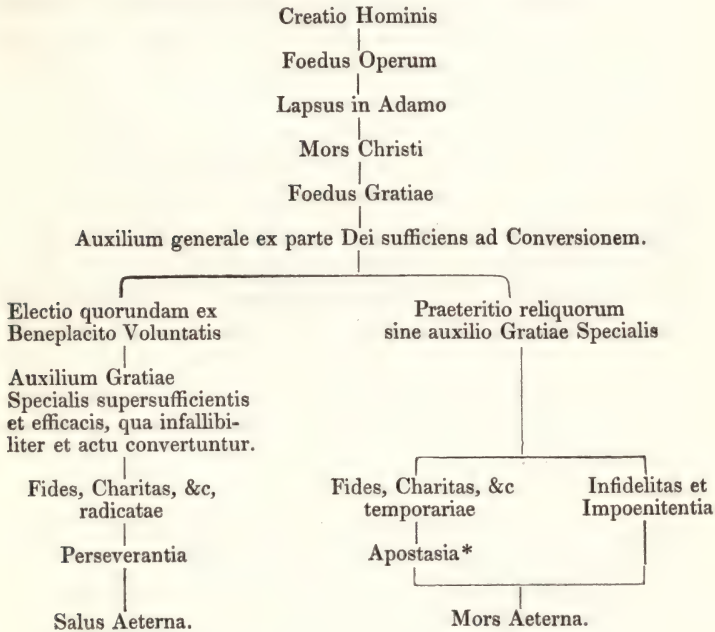
†† 'Adami.' In Rawl. A. 'Adae.'

§§ 'scilicet.' In Qu. 'viz.'

||| 'Christi.' In Rawl. A. 'in Christo.'

¶¶¶ 'sententiae.' Omitted in Qu.

Quarta Sententia, Intermedia Secunda.



* 'Apostasia' does not appear in Rawl. A.

Scripsit non ita pridem, quum in superis esset, Reverendus quidam Praesul* nostrae Ecclesiae brevem Censuram super quinque Capita Doctrinae in Belgio controversae, quae teritur passim in manibus Eruditorum. Ejus† hanc arbitror fuisse sententiam, quantum existimare licet ex illo opusculo, in qua, media incedens via, utriusque extremae incommoda haud incommode declinavit. Si vir pius atque inter primos‡ eruditus id egisset fusius et consulto, ut Seriem Decretorum Dei, causarumque et mediorum Salutis integram exhiberet, non dubito quin ista omnia explicatius expositurus fuisset et accuratius. § Quo minus tamen in hac sententia, prout || ὡς ἐν τῷ πρῶτῳ expressa est, acquiescam, praeter alia nonnulla, illud in primis facit, quod Auxilium generale sufficiens ad Conversionem Praedestinationi praeficiat, nulla interim facta uspiam mentione ¶ Vocationis Externae in Verbo. Quum Auxilium ejusmodi** generale aut non sit omnino concedendum, aut certe cum externo Salutis medio, praedicatione scilicet Evangelii, conjungendum; ut sit commune Electis et Reprobis intra†† promeria Visibilis Ecclesiae, non generale per extensionem etiam ad eas gentes quae de Salute per Christum parta ne fando quidem audivere.

* In the margin of C.C.C. 1. 'Jo. Overall, Episc. Norv.' The reference intended is to the 'Sententia Ecclesiae Anglicanae de Praedestinatione καὶ τοῖς ἐχομένοις, per D. Overallum, Theologiae Cantabrigiae Professore, exposita,' which may be seen at the end of Ford on the Thirty-nine Articles, p. 435, or of Ellis, *Articulorum xxxix Ecclesiae Anglicanae Defensio*. p. 54. Bp. Overall died May 12, 1619.

† 'Ejus.' In Rawl. A. 'Cujus.'

‡ 'inter primos. In Rawl. A. 'in primis.'

§ 'et accuratius.' Not in Rawl. A.

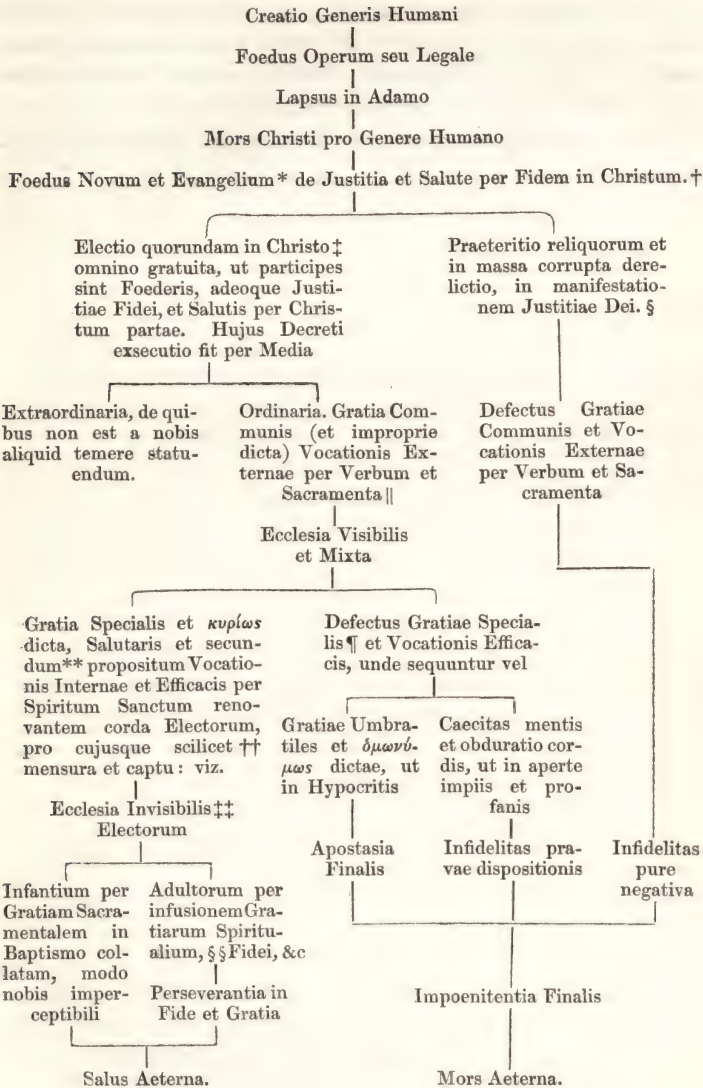
|| 'prout jam supra,' in Rawl. A. and C.C.C. 2.

¶ 'mentionē.' In Rawl. A. 'intensione.'

** 'istiusmodi.' Rawl. A.

†† 'intra.' In Rawl. A. and in C.C.C. 2. 'infra.'

Quinta Sententia. Intermedia Tertia.



* In Rawl. A. 'Evangelicum.'

† 'in Jesum Christum.' Rawl. A.

‡ 'in Christo.' Omitted in Rawl. A.

§ 'Justitiae Dei.' In Brit. Mus. 'of the Glory of the Justice of God.'

|| In Rawl. A. there is added here, in Qu. and Brit. Mus. there is subjoined as a note: 'Huic Vocationi externae si quis annexum contenderit auxilium generale sufficiens ex parte Dei ad Conversionem nisi homo sibi deesse

voluerit, haud equidem multum repugnare modo id caute et debite interpretetur.'

¶ 'Defectus Gratiae Specialis.' This paragraph does not appear in Rawl. A.

** 'secundum.' In Rawl. A. 'per.'

†† 'scilicet.' Not in Rawl. A. nor represented in Brit. Mus.

‡‡ 'Invisibilis.' In Rawl. A. 'Visibilis.'

§§ 'Spiritualium.' In Rawl. A. and in C.C.C. 2. 'Habitualium.'

De hac Sententia Quinta et Ultima operae fortassis erit pretium inquirere, Annon sit tutior et commodior ad vitandas difficultates quibus premuntur Extremae duae Sententiae quam duarum reliquarum alterutra. Videtur certe conformis doctrinae Sacrae Paginae, Scriptis orthodoxorum Patrum, inque iis Beati inprimis Augustini, et Confessioni Ecclesiae Anglicanae.

A FULL and particular Account of the change in his Theological Views was given by Sanderson in writing to Dr. Pierce, and, as we learn from Dr. Pierce's Letter, printed by Isaac Walton at the end of the Life of our Author, was communicated by him to Hammond.

From a Letter addressed to Sheldon, which is preserved among the Harleian MSS, Vol. iii. p. 450. No. 6942, 69^h, it appears, that Sanderson's own wish was to have his Statement published entire, but, as Hammond deemed this inexpedient, it may be presumed that such portions as were not printed by him have perished.

Hammond's words are, 'I have again returned the Papers to Dr. Sa[nderson]. I hope in such a form as he will approve: I am sure more for his interest than it would be, if, as he desires, all his Letter were published.'

In another Letter in the same Collection, also addressed to Sheldon, reference seems to be made to the same subject.

'I wish from my own interests, that you had seen Dr. Sa[nderson] by this time, (but fear from his unkindness to journeies that you have not) that, upon the account he gives you of those papers, you may give me your positive opinion of the fitness of printing them. The B[ishops] of E[ly] and S[arum] who have seen and given me their animadversions, had also inclined me to speed them to the press; but your last hath (after some preparation made by R[oyston]) given me reason to stop the speed. I am so unwilling to do any thing unreasonable, that I shall desire you to think fully of it, and again to confirm what you last said, if you see cause; but till you have received an account from Dr. S[anderson], I shall not think that you can say any thing to the contrary; whether then or no, I know not.' The date assigned to this Letter in the Ecclesiastic of January, 1849, should, probably, have been 1659.

Hammond's Book was entitled 'Χάρις καὶ Εἰρήνη, or, A Pacific Discourse of God's Grace and Decrees; in a Letter of full accordance written to the Reverend and most learned Dr. Robert Sanderson.' It was printed in 8vo. Lond. 1660. and again in 1674, in Vol. i. p. 546. of the collected Edition of Hammond's Works in folio.

Sanderson's matter, it will at once be seen, is exhibited in Italics in this reprint as it was in the original publication.

To all our Brethren of the Church of England.

IN relation to the Controversies concerning God's Grace and Decrees, nothing was ever superior, in my thoughts, to the fear that the great interests of Religion, Christian Practice, and particularly that of Charity, might be obstructed by them.

It hath long been the complaint of pious and learned men, (of the justice whereof, if formerly we had, we cannot now reasonably retain any doubt,) that the crude and unwary treating of these, and, from thence derived, an hasty, premature persuasion of their being in Christ, assisted by a belief of irrespective Decrees, and Grace irresistible, and no possibility of interrupting their justified estate, was apt to contribute to the presumptions, and securities, and final impenitences of some men, who, having most loudly renounced *the power*, choose yet not to quit *the form of godliness*.

And for the heats, and uncharitable distempers, which the managing of these controversies particularly have been guilty of, we need not look abroad among the Dominicans and Jesuits, Jansenists and Molinists, for proofs. Our own region hath not of a long time failed of evidences. The old weapon of *κατάπαρε*, crying down for carnal men and heretics, Pelagians and Semipelagians, Papists, Socinians, and what not? even rifling the Poets' hell to fetch out titles for their adversaries, hath never been more nimbly taken up, and vigorously handled, than in these days.

And, as if fuel to dissensions were still wanting, it hath been the endeavour of some to suggest this jealousy, and clancularly to infuse it into the minds of men, that they which oppose unconditionate Decrees, &c, and pretend to think they effectually serve the ends of Christianity thereby, have entertained such vehement dislikes and aversions to all that scheme of doctrines, that they retain no charity to the maintainers of them, though they be in other things as constant, obedient sons of the Church of England, as any; and when opportunity shall assist their design, will take care rigorously to fence their communion from them; and whatever the accord be in other doctrines, wherein our Church is eminently concerned against the common adversaries, will proceed finally to exterminate and exclude them.

The consequences of this persuasion, once imbibed, be it never so causeless and unprovoked, how noxious and inauspicious they may prove to all that are on either side concerned in them, what leaven of bitter zeal and animosities it may cause to ferment in the minds of some, what blasts and improsperities it may bring on the endeavours of others; and, betwixt both, what detriment to the true and solid ends, whether of Religion, or Reformation, the squaring of our lives according to that other, more sublime, pattern in the mount, S. Matt. v. the enhanced, transcendent,

indispensable Laws of Purity and Peaceableness, I shall not here need to set forth, every man's sagacity serving him competently to make this discovery.

Yet was it not a rational hope, that the bare disclaiming and renouncing so great a guilt, would be admitted to the purgation of those, against whom it had been suggested and believed. It therefore seemed to me more seasonable to tender an ocular demonstration of the contrary, by bringing my lamb, or turtle, my offering to the Temple of Peace, and really exemplifying the charity and accordance that may readily be attained between dissenters, when minds prepared with meekness and love of the Truth, wheresoever they meet with it, can take courage to deny themselves, and so to deposit prejudices, and instead of names and shadows, to give themselves up to the entire guidance of that light which shines in Scripture.

In order to this end, it seemed not improper, to offer at this time to public view the present sentiments of the judicious Dr. Sanderson, the Regius Professor of the University of Oxford, and the rather, because some manuscript Tables of his former thoughts, and some passages from his Sermons, long since preached, and now republished, have been made use of, to gain authority to those Doctrines which he is now far from owning; and briefly and perspicuously to annex unto, and compare with them those amicable and pacific reflections, which may hope to gain the unanimous consent of all true sons of our venerable Mother, the Church of England, whose chief aim it hath always been to discountenance divisions and factions, and occasions and fomenters of those, especially singular Doctrines and novel Articles of Faith, and in a catholic, harmonious charity, to plant primitive belief and zeal of good works, and so, instead of the empty *form*, the full *power of godliness*.

What is so largely added on that one head of Prescience had some appearance of necessity, to repel a shaft borrowed of late from the Socinians' quiver; who, having resolved it impossible for God Himself to foresee future contingents, have given disputers their choice, whether they like best, bluntly to deny God's Prescience, and so, at His cost, maintain their own liberty, or more piously to maintain Prescience, and then give it the same force of evacuating all Liberty and Contingency, which Predetermination of all events was justly accused to draw after it. The mistake very dangerous on either side, and the temptation equally fitted for both, if it were not timely obviated.

That these ensuing Discourses may be effectually successful to the designed end, of advancing the threefold interest of Truth, and Peace, and Uniform Christian Obedience; that it may supplant the vinegar by the oil, the nitre by the balsam; and procure, by consent of litigants, a solemn Supersedeas, if not conclusion to debates, an aversion to these heathen *Agones*, which afford nothing but to the combatant blows, and leaves to the conqueror; above all, that it may provide us, by this truce, a greater vacancy for the continued exercises of real piety, and engage us to make ἀπεργῶν, diligent use of it, to add, as to our *faith, virtue*, or courage, so to our ² Pet. 1, 5.

godliness, brotherly-kindness, and to that the yet higher ascent and accomplishment of *charity*, that it may compact us all into that union that most successfully contributes to our growth, and so possess us of that qualification, to which immarcessible joys are awarded by our righteous Judge, shall be continually the prayer, as in the following sheets it hath been the sincere, single endeavour, of

Your fellow Labourer,

H. HAMMOND.

1659.* *Festo Omnium
Sanctorum.*

* The year is specified in the Folio of 1674. In the Octavo of 1665, it is left to be gathered from the date at the end of the Letter.

DEAR SIR,

HAVING had a sight of the Letter which you sent M.— about the Anti-Remonstrant Controversies, dated March 26, and observing one of the reasons, which you render of your having avoided to appear on that theme, *a loathness to engage in a quarrel whereof you should never hope to see an end*, I thought myself in some degree qualified to answer this reason of yours, and thereby to do acceptable service to many, who do not think fit that any considerations, which have not real and weighty truth in them, should obstruct that which may be so much to the common good, I mean, your writing and declaring your mind on any profitable subject.

§. 1.

That which qualifies me more than some others, to evacuate the force of this one reason of yours, and makes me willing to attempt it, though not to appear in opposition to any other passage that ever you have written, is the true friendship that hath passed between us, and the sweet conversation that for some time we enjoyed, without any alloy or unequableness, sharp word, or unkind or jealous thought. The remembrance whereof assures me unquestionably, that you and I may engage in this Question, as far as either of us shall think profitable, without any the least beginning of ‘a quarrel;’ and then that will competently be removed from such, as of which you cannot ‘hope to see an end.’

§. 2.

And before I go any further, I appeal to your own judgment, whether herein I do not at least speak probably, and then whether it were not a misprision, which you are in all reason to deposit, to apprehend such insuperable difficulties or impossibilities at a distance, which, when they are prudently approached, and examined, so presently vanish before you. If this one reflection do not convince you, it remains, that the speculation be brought to practice, and exemplified to your senses.

§. 3.

You set out with a mention of some *Positions, wherein*, you say, *Divines, though of contrary judgments, do yet all agree*, and then it is not credible that you and I should be so singular, as to differ in them endlessly. Of this number you propose five. 1°. *That the will of man is free in all his actions.* 2°. *That very many things in the world happen contingently.* 3°. *That God from all eternity foreseeth all, even the most free and contingent events.* 4°. *That whatsoever God foreseeth shall infallibly come to pass.* 5°. *That sinners are converted by the effectual working of God's grace.* Of each of these, you say, *we have from Scripture, Reason, and Experience, as good and full assurance as*

§. 4.
Five Positions agreed on by all.

can be desired for the $\delta\tau\iota$, or truth of them, that they are so. And I, who fully subscribe to the undoubted truth of each of the propositions, and do it also upon the very same three grounds, of Scripture, Reason, and Experience, which you mention, need not the intercession of our friendship to render it impossible to give you any the least trouble of so much as explaining your sense in any of these.

§. 5.
Three
heads of
difficulty.

Next, when you resolve, that *all the difficulty is about the $\pi\omega\varsigma$* , referring that to no more than three heads. 1°. *How to reconcile the certain futurition of what God foreseeth, with the liberty of the rational creature, and the contingency of casual effects, as they proceed from inferior causes.* 2°. *In what manner or measure the effectual Grace of God cooperateth and concurrereth with the free will of man, in the conversion of a sinner.* 3°. *How to cut so even a thread, as to take the whole of what we do amiss to ourselves, and leave the whole glory of what we do well to His Grace,* you are again as secure as any amulet can make you, that this resolution of abbreviating the Controversies, and confining them to these few heads, shall never engage you in the least degree of debate. And then I shall challenge you to feign how it can remain possible, without contradicting oneself, which still is not quarrelling with you, to engage you in any uneasy contention, unless it be on one of these three heads; and when I have by promise obliged myself, which now I do, not to raise any dispute, or attempt to ensnare or entangle you in any of these three, you have then nothing to retract but your fears; to which, if I tell you, you cannot adhere, discerning a sure and near period to that which you apprehended endless, this is all the victory I shall project or be capable of in this matter.

§. 6.
Of reconcil-
ing Pre-
science with
Liberty of
Contingen-
cy.

Of the first of these three Difficulties, [*the reconciling the certain futurition of what God foresees, with the liberty of the rational creature, and the contingency and casual effects,* it falls out, that you have in your shorter Letter, dated April 8, given that account, which evidenceth it to be, in your opinion, no invincible difficulty. Your words are these, *That God's prescience layeth no necessity at all upon any event, but that yet all events, as they are foreseen of God, so shall they certainly and infallibly come to pass, in such sort as they are foreseen: else the knowledge of God should be fallible; which certainty of the event may in some sort be called necessity, to wit, consequentis, or ex hypothesi, according as all the most contingent things are necessary, when they actually exist, which is a necessity infinitely distant from that which predetermination importeth.* This I take to be so clear an explication of that difficulty, and so solid a determining of

the τὸ πῶς, the manner of reconciling prescience with contingency, that as I fully consent to it in every part of your period, so I doubt not but the last part alone hath made it as intelligible to any ordinary understanding, as whole books of Philosophers have attempted to do.

For God's prescience from all eternity being but the seeing every thing that ever exists, as it is, contingents, as contingents, necessary, as necessary, can neither work any change in the object, by thus seeing it, (convert a contingent into a necessary,) nor itself be deceived in what it sees, which it must be, if any thing in process of time should be otherwise than from all eternity God saw it to be.

§. 7.

I was lately advised with by a Divine, to me unknown, but one that seems to be a man of good learning, about the distinction frequently made in this matter, betwixt *inevitably* and *infallibly*; and my answer and replies to his several objections, (because I would demonstrate the perfect accordance betwixt you and me in this, which, within this year or two is put into a very grave attire, and revered as a great difficulty,) I will give you at large by way of appendage at the end of this Letter,* having by hap a copy retained by me; and though it cost you some minutes to survey them, yet I know your patience of all such exercises so well, that I doubt not of your willingness to be thus detained by me, which yet here you shall not, *loco non suo*.

§. 8.

Then for the second, *In what manner and measure the effectual Grace of God cooperateth, or concurreth with the free will of man in his conversion*, you seem to me to have given a punctual account of each part of that also, in the said second Letter, in these words, *That God worketh not by His Grace irresistibly, but yet so effectually on those whom He hath ex beneplacito appointed to Salvation, in ordering the means, occasions, and opportunities with such congruity to that end, as that de facto it is not finally resisted*. Here it is evident your resolution comes home to each term in the difficulty. For if effectual Grace work not irresistibly, then we see in what manner it cooperates with the free will of man, viz. so as it still remains possible for him to resist it. And if the effectualness of His working consist in ordering the means, occasions, and opportunities with such congruity, &c, then, as that stateth the measure of the cooperation, the only second part of the difficulty, and doth it expressly in Bishop Overall's way, so this supposeth Grace sufficient to conversion and salvation to be given to those, who are not converted and saved, quite contrary to the three grand pretensions of Doctor Twisse, the Supralapsarians, and Sublapsarians; and, whether it be true or no, is presently freed from all the odious consequences charged on the several Schemes of the Anti-Remonstrants; and so may safely be granted, or not opposed by them, who yet want evidence of Scripture to establish it; and so this is not likely to bring any uneasy engagement upon you.

§. 9.
Of the manner and measure of the cooperation of effectual Grace with the free will of man.

* See Hammond's Works, folio, Vol. i. pp. 583—604.

§. 10.
How to
attribute all
good to
God, and
evil to our-
selves.

And then, as there remains no more difficulties but the third, so, if you mark it, the grounds are already laid whereby that is unquestionably resolved; for having granted that God gives sufficient Grace, and yet, when He cooperates most effectually, He doth it not irresistibly, this is the very thread you seek to cut by, so as to devolve the whole blame of all our miscarriages on ourselves, and the entire glory and praise of all our *κατορθώματα*, good performances, or good successes on His Grace. Were any of us so left or past by, as to be denied sufficient Grace, and yet destined to perish, merely through want of necessities, the whole blame could not rationally fall on ourselves: it could not be said of Christ's yoke, that it were easy, or His Commandment not far from us. The fault that was found with the Mosaical Oeconomy, and which made another, the Evangelical, necessary, would still lie against this, viz. that men were not enabled to perform what was required, and yet the non-performance eternally revenged on many of them. But sufficient Grace being tendered by God, and by no default but their own proving ineffectual, the entire blame falls unavoidably on those, who do not thus open to Him that knocks, so receive, as to make use of it, but resist, or grieve, or quench what was so mercifully designed, and might have been improved by the humble and diligent receivers unto their greatest advantages.

S. Matt. xi.
Rom. x.
Heb. viii. 8.

§. 11.

On the other side, if our nature being universally corrupted by Adam's fall, all possibility of rising out of that grave of sin be the effect and benefit of the Grace, as that is of the death of Christ; if it be *God that worketh in us both to will and to do, of His good pleasure*, the first by His preventing, the second by His assisting Grace, and both those bottomed merely in His *εὐδοκία*, *good pleasure*, nothing in us any way meriting the first act, or purpose of giving Grace, any further than our wants and miseries rendered us the proper objects of His compassions and reliefs; and the subsequent aids in like manner challengeable, only from His promise, and the purport of the Parable of the Talents, of giving to him that hath, rewarding the use of the lower, with the gift of an higher degree of Grace, then still is this, the attributing nothing to ourselves, but demerits and provocations, and giving the whole glory to God.

§. 12.

Having gone thus far without any considerable disagreement about the *τὸ πῶς*, how to reconcile these three seeming repugnancies, wherein you apprehended the greatest difficulty to lie, and being hereby, as by so many *postulata* accorded between us, competently provided and furnished of a standard and umpire, in case any light difference should arise, what objection can St. Paul's *ᾧ βάθος*, (belonging expressly to another matter, the cutting off the obdurate, and gathering all persuasible believing Jews and Gentiles, and no way applicable to this) interpose, why we should not proceed together to the consideration of the Doctrine of Decrees, as it hath been variously debated by others, and by you perspicuously recapitulated in the process of your papers?

S. Paul's
'O the
Depth.'
Rom. xi.
33.

§. 13.

To this therefore I presume of your good leave that we now proceed; and whereas you have prudently chosen to begin with an history of your own thoughts on this subject, which you have laid down with great par-

ticularity, I shall set out with a bare transcript of that, which will need no comment of mine, to render it useful to the Reader, in discovering to him the true and sole original of the thriving, for some time, of those Doctrines among us, and how so many of our Church came to be seasoned with them, and in giving him a but necessary caution for the laying the grounds of the study of Divinity in the Writings of the ancient Church, rather than in our modern Systems and Institutions. Your words are these,

When I began to set myself to the Study of Divinity as my proper business, which was after I had the degree of Master of Arts, being then newly twenty-one years of age, the first thing I thought fit for me to do, was to consider well of the Articles of the Church of England, which I had formerly read over twice, or thrice, and whereunto I had subscribed. And because I had then met with some Puritanical Pamphlets written against the Liturgy and Ceremonies, although most of the arguments therein were such as needed no great skill to give satisfactory answers unto, yet for my fuller satisfaction, the questions being de rebus agendis, and so the more suitable to my proper inclination, I read over with great diligence and no less delight that excellent piece of learned Hooker's Ecclesiastical Polity. And I have great cause to bless God for it that so I did, not only for that it much both cleared and settled my judgment for ever after in very many weighty points, as of Scandal, Christian Liberty, Obligation of Laws, Obedience, &c; but that it also proved, by His good providence, a good preparative to me (that I say not, antidote) for the reading of Calvin's Institutions with more caution then perhaps otherwise I should have done. For that book was commended to me, as it was generally to all young Scholars in those times, as the best and perfectest System of Divinity, and fittest to be laid as a ground work in the study of that profession. And indeed, being so prepared as is said, my expectation was not at all deceived in the reading of those Institutions. I found, so far as I was then able to judge, the method exact, the expressions clear, the style grave, equal, and unaffected, his Doctrine for the most part conform to S. Augustine's, in a word, the whole work very elaborate, and useful to the Churches of God in a good measure; and might have been, I verily believe, much more useful, if the honour of his name had not given so much reputation to his very errors. I must acknowledge myself to

§. 14.
A History
of Doctor
Sanderson's
thoughts in
these
points.

have reaped great benefit by the reading thereof. But as for the questions of Election, Reprobation, Effectual Grace, Perseverance &c, I took as little notice of the two first, as of any other thing contained in the book : both because I was always afraid to pry much into those secrets, and because I could not certainly inform myself from his own writings, whether he were a Supralapsarian (as most speak him, and he seemeth often to incline much that way) or a Sublapsarian, as sundry passages in the book seem to import. But giving myself mostly still to the study of Moral Divinity, and taking most other things upon trust, as they were in a manner generally taught both in the Schools and Pulpits in both Universities, I did for many years together acquiesce, without troubling myself any further about them, in the more commonly received opinions concerning these two, and the other points depending thereupon. Yet in the Sublapsarian way ever, which seemed to me of the two, the more moderate, rational, and agreeable to the goodness and justice of God ; for the rigid Supralapsarian doctrine could never find any entertainment in my thoughts from first to last. But MDCXXV, a Parliament being called, wherein I was chosen one of the Clerks of the Convocation for the Diocese of Lincoln, during the continuance of that Parliament, which was about four months, as I remember, there was some expectation that those Arminian points, the only questions almost in agitation at that time, should have been debated by the Clergy, in that Convocation. Which occasioned me, as it did sundry others, being then at some leisure, to endeavour by study and conference to inform myself, as thoroughly and exactly in the state of those Controversies as I could have opportunity, and as my wit would serve me for it. In order whereunto, I made it my first business to take a survey of the several different opinions concerning the ordering of God's Decrees, as to the salvation or damnation of men : not as they are supposed to be really in Mente Divina, for all His Decrees are eternal and therefore coeternal, and so no priority or posteriority among them ; but quoad nostrum intelligendi modum, because we cannot conceive or speak of the things of God, but in a way suitable to our own finite condition, and understanding : even as God Himself hath been pleased to reveal Himself to

us in the Holy Scriptures by the like suitable condescensions and accommodations. Which opinions, the better to represent their differences to the eye, uno quasi intuitu, for their more easy conveying to the understanding by that means, and the avoiding of confusion and tedious discoursings, I reduced into five Schemes or Tables, much after the manner as I had used to draw Pedigrees, a thing which, I think you know, I have very much fancied, as to me of all others the most delightful recreation, of which Schemes, some special friends, to whom I shewed them, desired copies: who, as it seemeth, valuing them more than I did (for divers men have copies of them, as I hear, but I do not know that I have any such myself) communicated them further, and so they are come into many hands. Those are they which Doctor Reynolds, in his Epistle prefixed to Master Barlee's Correptory Correction, had taken notice of. Having all these Schemes before my eyes at once, so as I might with ease compare them one with another, and having considered of the conveniences and inconveniences of each as well as I could, I soon discerned a necessity of quitting the Sublapsarian way, of which I had a better liking before, as well as the Supralapsarian, which I could never fancy.*

Thus far your history, which I verily believe to have perfect truth in every step of it, without any disguise or varnish; and so I pass from it without any further reflections.

§. 15.

Next then follows your distincter view of the several ways, which have been embraced by those of the Anti-Remonstrant persuasion, and the motives on which you were forced to dissent and depart from each of them; and to this I am obliged to attend you *κατὰ πόδα*. And the ways being especially three, the method of greatest advantage will be to begin with a transient view of those, each of which you with great reason reject, and to set Doctor Twisse's† first, though it came last into the world and

§. 16.

Dr. Twisse,
his way.

* William Barlee, Rector of Brockhole, or Brockhall, in Northamptonshire, wrote 'Predestination, as before privately, so now at last openly defended against Postdestination. In a Correptory Correction, given in by way of answer to a (so called, correct Copy of some notes of God's Decrees, especially of Reprobation; published the last summer by Mr. T[homas] Pierce], &c. 4to. Lond. 1656.' He followed up this Work with 'A necessary Vindication of the Doctrine of Predestination, formerly

asserted; together with a full abster-tion of all Calumnies cast upon the late Correptory Correction.' &c. 4to. Lond. 1658.

† William Twisse, sometime Fellow of New College. 'The most learned men, even those of his adverse party, did confess that there was nothing extant, more accurate, exact, and full, touching the Arminian controversies, than what was written by our Author Twisse.' 'The truth is, there's none almost that have written against

Causes of
rejecting it.

adorned itself with the spoils of the other two: because that sets the object of Election higher than the other do, *homo creabilis*,* man considered before he is created. His design and scheme you have perspicuously drawn, thus: *That God making His own Glory the only end of all other His Decrees, all these Decrees of creating man, of permitting sin, of sending Christ, of preaching the Gospel, of Electing some, of Reprobating others, and the rest, make up one entire coordinate Medium, conducing to that one End, and so the whole subordinate to it, but not any one part or joint thereof subordinate to any other of the same.* Against this, your objection I profess to be very convincing, taken from his own beloved axiom, so oft repeated by him, and borrowed from him, and built upon by others, that whatsoever is first in the intention, is last in the execution. For as it is most evident, that of these his supposed coordinate Decrees some are after others in execution, the Fall after the Creation, the coming of Christ after both, and so of the rest, so if he will stand to his principle, he must, as you say, grant, that those that were thus after any other in the execution, were in God's intention before them, which will necessarily bring in a subordination among them, and so quite overthrow this, as you call it, 'new crochet of coordination.'

§. 17.

Your other causes of dislike to his way are equally rational. First, The falseness of that his Logic Maxim, which he builds so much upon, which yet hath no certain truth, or other than casual, but when it is applied to final causes, and the means used for the attaining any end. Secondly, The prodigiousness of his other doctrine, that there are more degrees of bonity *in damnato quam annihilato*, (because^a the *bonitas entis*) and so that it is better for the creature to be in eternal misery than simply not to be: when Christ expressly pronounceth the contrary of wicked men, that it had been better for them never to have been born, to have a millstone about the neck, and to be cast into the sea, a figure to represent annihilation, than to be involved in those dangers that attend their sins. Thirdly, his resolving God's Election of a man to life eternal to be no act of His mercy, and likewise His reprobating and ordaining to damnation to be no act of His justice, but of His pleasure. † A few such Propositions as these are competent to blast and defame any cause, which requires such aids, stands in need of such supporters; and therefore you will be confident I concur with you in rejection of that, though I think neither of us likely to undertake the travail of refuting of his whole Work.

a 1. beside
[This marginal
note was inserted
in the Folio
of 1674.]

Lib. 1. Di-
gress. ix.
Ibid. Di-
gress. x.

§. 18.
The Supra-
lapsarians'
way.

Next then for the Supralapsarians, with whom the object of the Decree

Arminianism since the publishing anything of our Author, but have made very honourable mention of him, and have acknowledged him to be the mightiest man in those Controversies, that his age hath produced.' Wood,

Athenae Oxon. iii. 170, 171. ed. Bliss.

* See above, p. 280.

† In his *Vindiciae Gratiae*, Potestatis, ac Providentiae Dei. fol. Amstel. 1632. De praedestinatione, Lib. I. part. i.

is *homo conditus*, Man created, not yet fallen, and the Sublapsarians, with whom it is Man fallen, or the corrupt Mass, your rejections and reasons thereof are twined together, and are especially two, which you justly call very weighty; and so I suppose they will be deemed by any man, that shall consider the force of them without prejudice. I shall therefore set them down from your Letter in your own words.

The first reason is, *because though it might perhaps be defensible, as to the justice of God, in regard of His absolute power over His own creature, yet it seems very hardly reconcileable with the goodness of God, and His exceeding great love to mankind, as they are plentifully and passionately set forth in His Holy Word, to decree the eternal damnation of the greater part of mankind, for that sin, and for that sin only, which was utterly and naturally impossible for him to avoid; for the Decree of Reprobation according to the Sublapsarian Doctrine, being nothing else than a mere preterition or non-election of some persons whom God left, as He found them, involved in the guilt of the first Adam's transgression, without any actual personal sin of their own, when He withdrew some others, as guilty as they, without any respect to Christ the second Adam, it must needs follow that the persons so left are destined to eternal misery, for no other cause, but this only, that Adam some thousand years since did eat the forbidden fruit, and they being yet unborn, could not help it.*

§. 19.
Reasons
against
both.

The other reason was, *because the Scripture not only saith expressly, that God hath chosen us in Christ before the foundation of the world, and consequently the Decree of sending Christ must be precedaneous to that of Election, but also doth every where, and upon all occasions hold forth the death of Christ, as intended by God for the benefit of mankind, in the utmost extent, (the world, the whole world, mankind, every man, &c.) and not for the benefit of some few only, the rest by an antecedent peremptory Decree excluded. To which it would be consequent, that according to the tenure of the more moderate of these, the Sublapsarians' doctrine, Jesus Christ, the Judge, at the last day, when He should proceed to pronounce sentence upon the damned, should bespeak them to this effect, Ite maledicti, voluit enim Pater meus pro beneplacito, ut Adam peccato suo vos perderet, noluit ut ego sanguine meo vos redimerem; Go, ye cursed, for my Father*

§. 20.

Eph. i. 4, 5.

of His mere pleasure willed that Adam by his sin should destroy you, willed not that I by my blood should redeem you; the very thought whereof, you say, your soul so much abhorred, that you were forced to forsake that opinion of the Sublapsarians, having, as you profess, never fancied the Superlapsarians; and conclude it unsafe to place the Decree of Election before that of sending Christ.

§. 21.

These two reasons of changing your judgment, are, I confess, so worthy of a considering man, who makes God's revealed Will his Cynosure, and doth not first espouse doctrines of men, and then catch at some few obscure places of Scripture to countenance them, nor makes his retreat to the abyss of God's unfathomable Counsels, as the reason of (that which is its contradictory) his attempting to fathom and define them, that I doubt not but the tendering of them to all dispassionate seekers of truth, that have not some interests to serve by adhering peremptorily and obstinately to their prepossessions, will be of the same force to disabuse and extort from them the same confessions which they have from you, causing them fairly to deposit these two Schemes, and either not to define at all, or to seek out other solider methods, and more Catholic grounds of defining; and if the wise heathen were in the right

*Virtus est vitium fugere, et sapientia prima
Stultitia caruisse,——*

this will be some degree of proficiency, which they that shall with unspeakable joy have transcribed from you, will also have temptation to accuse your fears, or wariness, that they received not this lesson sooner from you: especially when they are told, what here you express, that these have been your thoughts ever since the year 1625, i. e. thirty-four years since, which is an age or generation in the Scripture use of the word.

§. 22.

That none may be any longer deprived of this means of their conviction, or permitted to think or teach securely and confidently, and as in accord with you, what you profess your soul thus long to have 'abhorred the very thought of,' I desire you will at length communicate your thoughts yourself, or else allow this Letter of mine to be your *ὑποθήκη* and do it for you, under some testimony of your full approbation of this your sense.

§. 23.
The negative part
sufficient to Peace,
&c.

But all this, thus far advanced, is but the rejection of the several erroneous ways, and only the negative part of your thoughts; which yet, by the way let me tell you, is fully sufficient both to the peace of Churches, and of particular souls. If the erroneous ways be rejected from whence all the misapprehensions of God, and ill consequences thereof flow, the Church is competently secured from tares; and then what need express articles and positive definitions come in to her rescue?

§. 24.
Our
Church's

This I suppose the reason both of our Church's moderation in framing the Article of Predestination, and of our late King's Declaration in

silencing the debate of the questions. For if by these methods the Church could but have prevailed to have the definitions of the several pretenders forgotten, all men contenting themselves, as our Article prescribes, with the promises of God, as they are declared in Scripture, which sure are universal and conditionate, not absolute and particular, the turmoil and heat and impertinence of disputes had been prevented, which now goes for an engagement in God's cause, the bare fervour and zeal in which is taken in commutation for much other piety, by many the most eager contenders. The doctrines, being deemed doctrines of God, are counted evidences of sanctified men, and affix the censure of carnality on opposers, and from hence come bitter *envyings*, *railings*, and at the least *evil surmisings*; and these are most contrary to the outward peace of a Church or Nation.

moderation.
The King's
Declaration
in order to
Peace.

And for particular men's souls, if the rigid doctrines be found apt to cool all those men's love of God, who have not the confidence to believe themselves of the number of the few chosen vessels, and to beget security and presumption in others, who have conquered those difficulties, and resolved that they are of that number, and to obstruct industry and vigorous endeavours and fear of falling, and so to have malignant influences on practice, yet seeing it is the believing the Anti-Remonstrant Schemes, one or other of them, to be the truth of God, which lies under these ill consequences, the bare laying them aside leaves every man indispensably under the force of Christ's commands to disciples, terrors to the unreformed, and conditional, most expressly conditional, promises to all; and those being substantially backed with the firm belief of all the Articles of the Creed, particularly of the Judgment to come, are by the Grace of God abundantly sufficient to secure Evangelical obedience, the true foundation of peace to every Christian soul; and therefore I say, *est aliquid prodire tenus*: your negative part, if there were no more behind, will be of sovereign use to all that have been seduced into any liking of those errors, which are by a man of your moderation and judgment, in despite of contrary prepossessions, on reasons so convincing and perspicuous, rejected.

§. 25.
Good life.

But in the space of thirty-four years, though you have permitted your genius to lead you to other studies, (which, if your rejections be granted, I shall willingly confess to be more universally profitable, than any minuter searches into the Decrees) those of Moral or Practical Divinity, yet it seems you have not lived such an obstinate Recluse from the disputes and transactions of men, but that occasions you have met with to excite your faculties, to wade a little further into the positive part of these doctrines; and indeed it is hard to conceive how a man can have spent so many hours, as the survey of Doctor Twisse's *Vindiciae Gratiae*, were it never so slight and desultory, must have cost you, without some other reflections, besides those of bare aversation to his hypothesis.

§. 26.

To these you at length proceed, proposing them with difference, owning some of them as your present thoughts and opinion, whilst in others you profess to be purely sceptic, and to propose them only as conjectures that

§. 27.

Difference
between
Opinions
and Con-
jectures.

§. 28.

Three Pro-
positions
concerning
God's De-
crees.

§. 29.

Man's Fall.

seem to you in the mean time not improbable, until you meet with some other more satisfactory. And in making this difference I fully accord with you, discerning that undeniable evidence of grounds in the former, which is not so readily discoverable in the latter. I shall therefore follow your direction herein, and rank these severally, setting down those which you own as your opinion first; and afterward, with that note of difference, proceed to your conjectures.

Concerning the Decrees of Election and Reprobation, your present opinion is contained in these three Propositions, prefaced with two more, which are but the disavowing the three ways of *Massa nondum condita, condita ante Lapsum, et corrupta*.

That man being made upright, and so left in manu consilii sui, God permitting him to act according to that freedom of Will wherewith as a reasonable creature He had endowed him, did by his own voluntary disobedience, through the cunning of Satan tempting him thereunto, fall away from God, cast himself into a state of sin and misery, under the bondage of Satan, without any power, possibility, or so much as desire to recover himself out of that wretched condition. All which God did decree not to hinder, as purposing to make use thereof as a fit occasion for the greater manifestation of His power, wisdom, goodness, mercy, justice, &c.* Of this my opinion is, that it is, in every branch of it, so undeniably founded in the express affirmations of Holy Writ, that there can be no doubt of it to any Christian.

§. 30.
The giving
of Christ
for Man-
kind.

Secondly, That man being thus fallen, God out of His infinite compassion to His creature, made after His own image, and that Satan might not finally triumph in so rich a conquest, if the whole mass of mankind should perish, decreed to send His only begotten Son Jesus Christ into the world, to undertake the great work of our Redemption, and to satisfy His justice for sin, that so, notwithstanding the same, the whole mass of mankind lost by the Fall of the first Adam, might be restored to a capability of Salvation, through the mercy of God, and the merits of Jesus Christ, the second Adam.

In this, compared with what you before said, and afterwards add, I discern your full agreement to the words of our Church Catechism, as those are exactly consonant to the manifold testimonies of sacred Writ, that Christ died for, and thereby redeemed all mankind: your words being not, to my apprehension, capable of any of those evasions, that others are

* Quoted by Sanderson in Sermon vii. ad Aulam, §. 6. and Sermon vi. ad Populum, §. 29.

willing to reserve themselves in this business, as of His dying sufficiently, but not intentionally for all, for that *κρησφύγετον* is superseded by your words of *God's sending Christ, &c. that so mankind, &c.* which must needs import His unfeigned intention that mankind should be restored to a real capability of Salvation; which is not with truth affirmable, if any one individual of that whole kind be absolutely passed by, or left, or excluded from his part in this restoration, and capability of Salvation; which yet we must resolve many millions to be, if that which is perfectly necessary to the recovery of those which were so totally lost, as your former Proposition truly supposed, be not really and effectively made up to them by Christ. And as in this full latitude I am obliged to understand you, so I wish not any more pregnant words to express it, than those which you have chosen.

Thirdly, That Man having by his Fall rendered himself §. 31.
The new
Covenant.
uncapable of receiving any benefit from the Covenant made with him in his first Creation, God was graciously pleased to enter into a new Covenant with mankind, founded in His Son Jesus Christ, consisting of Evangelical but conditional promises, of granting remission of sins, and everlasting life, upon the condition of faith in Christ, repentance from dead works, and new obedience; and gave commandment that the said Covenant by the preaching of the Gospel should be published throughout the world. This, you say, you conceive to be that which the Arminians call the general Decree of Predestination, but is rejected by the Calvinists; and that all these Decrees are, according to our weak manner of understanding the way of God's counsels, salva coexistentia et praesentialitate rerum omnium in mente Divina ab aeterno, antecedent to the Decrees of Election and Reprobation.

To this also I fully assent, both as to the truth and fulness of the expression in every part, especially in that of God's entering with mankind, without any restraint, the new Covenant, founded in Christ; of the conditionateness of the promises of that new Evangelical Covenant; of repentance and new obedience, together with faith in Christ, making up that complete condition; of the antecedency of this Covenant in Christ, and the command of publishing it throughout the world, to the Decrees of Election and Reprobation: which seems to me to be expressly set down from Christ's words, *And He said unto them, Go ye into all the world, and* S. Mark xvi.
15, 16.
preach the Gospel to every creature. He that believeth and is baptized shall be saved; he that believeth not, shall be damned; which evidently founds those two Decrees in the precedaneous preaching, and men's receiving or rejecting of the Gospel.

And when the Gospels are all so express in setting down that command of Christ to His Apostles of preaching the Gospel to all the world, to the §. 32.
The Decree
of publish-
ing.

the Gospel
to all the
world.

whole Creation, i. e. the whole Gentile, as well as Jewish world, (and the travels of the Apostles witness their obedience to it) and when the command of Christ is equivalent with a Decree, and His giving of that in time an evidence of its being by Him predestined from all eternity, it is very strange that this should be denied or questioned by the Calvinists, or the Arminians rejected by them, when in effect they do but repeat Christ's own words, who if He gave command to publish the Gospel to all, then must the publishing of the Gospel be matter of a general Decree, there being no other so sure a way of discerning what was *ab aeterno* predestined by God in His secret counsel, as the Scriptures telling us what was by the Father or Christ in time actually commanded.

§. 33.
Evangelical
Obedience.

Thus far and no further reach those which you own to be your *present opinions*, and pronounce of them, that you are *so far convinced from the phrases and expressions frequent in Scripture, that you cannot but own them as such.* And then let me tell you, it were very happy that all men would agree in these, and yet more happy, if, instead of more curious enquiries, they would sit down, and betake themselves uniformly and vigorously to that task, which these *data* bind indispensably upon them, and which is of that weight, that it may well employ the remainder of their lives to perform it to purpose, I mean the work of Evangelical Obedience, the condition of the new Covenant, without which the capability of pardon and Salvation, which was purchased for mankind in general and for every man, shall never be actuated to any.

§. 34.
Matters of
Conjecture.

Beyond these therefore, what you add you acknowledge to be but conjectures, which though to you they seem not improbable, yet you profess to maintain your *εποχή* or scepticism in them. And if in any of these I should, on the same terms of conjecture or seeming probability, differ from you, this still were fully to accord with you in the general, viz. the suspension of belief, and proceeding no further than conjectures in these things.

What the issue will be, shall now be speedily experimented, by proceeding to a view of them, remembering still that you propose them but as conjectures.

§. 35.
The first.

The first is, *That the object of the Decrees of Election and Reprobation, as they are set forth in the Scripture, seemeth to you to be man preached unto. Those being elected to eternal life, who receive Christ, as He is offered to them in the Gospel, viz. as their Lord and Saviour, and those reprobated, who do not so receive Him.* Herein I not only perfectly agree with you; but more than so, I do think it an unquestionable truth, which carries its evidence along with it, and so will be acknowledged by any that observes the limitation by you affixed to the subject of the Propo-

The object
of Scripture
Election.

sition, the object of the Decrees, 'as they are set forth in the Scripture.' For he that shall but consider that the Holy Scripture is a donative afforded us by God, and designed for our eternal advantages, not to enable

us to judge of others, but ourselves, not to discover all the unsearchable recesses of His closet, or secret counsels, *abscondita Domino Deo nostro*, but to reveal to men those truths which themselves are concerned in, would make no difficulty to conclude, that the Scripture speaks only of those to whom it speaks, and as the Apostle saith, What hath he *to do to judge them that are without?* leaving them wholly to God's judgment, so doth the Scripture declare God's dealing only with those to whom the Scripture comes, to whom some way or other, whether by writing or preaching it matters not, the Gospel of Christ is revealed. 1 Cor. v. 12.

This as it appears by innumerable evidences in the Scripture, so it is put beyond all dispute by that even now recited text, at Christ's farewell, His commission to His Apostles, and declaration of the fixed determined consequences of it, an express transcript of God's eternal destinations or Decrees in that matter, *Go into all the world, and preach the Gospel to every creature. He that believeth and is baptized shall be saved; and he that believeth not shall be damned.* In which words what can be the meaning of *shall be saved*, and *shall be damned*, but this, that God hath decreed Salvation and damnation to such? Those therefore are the object of those Divine Decrees, who are the subject of that Proposition; and those are evidently men preached to, of which some believe, and are baptized; and those have their parts in the first Decree, that of Election to Salvation: some reject the Gospel, and believe not, and those fall under the second branch, that of rejection to damnation. S. Mark xvi.

Against the evidence of this no opposition can be made; and to this it is undeniably consequent, that all the Decrees whereof Scripture treateth are conditionate, receiving Christ as the Gospel offers Him, as Lord and Saviour; the former as well as the latter being the condition of Scripture Election; and the rejecting or not receiving Him thus, the condition of the Scripture Reprobation. §. 37. All Scripture Decrees conditionate.

As for any other which can be fancied distant from this, and so all absolute Election or inconditionate Reprobation, it must needs be resolved to be the mere invention and fabric of men's brains, without the duct of God's Spirit in Scripture, which if at least it hold not a strict analogy with that which the Scripture hath thus revealed to us, will never be excused from great temerity, and the sin of dogmatizing, the rifling God's secrets, and setting up our own imaginations, if not prejudices, for the oracles of God. If this were well thought of, it would infallibly set a period to all further disputes on this subject. And the Proposition, which I have last set down from you, is so irrefragably convincing, that I hope it may be successful to so good an end, and all men that read it, resolve it their duty to preach no other Decrees of God from Scripture, but this, that all that receive the Gospel preached, and live according to the prescript rule thereof, (for that is to receive Christ as there He is offered to them, as a Lord and Saviour) shall be saved; and all they that reject it, when it is thus revealed, or live in contradiction to the terms whereon it is established, shall be damned. This would probably change curiosity into industry, unprofitable disquisitions into the search and trying of our own ways, and working out our own Salvation. Temerity of introducing absolute Decrees.

§. 39. To this Proposition, if it shall be granted, you annex two Corollaries; and I that have not only yielded but challenged the undoubted truth of the Proposition, can make no question of the Corollaries. The first is this,

§. 40. *That it will be impossible to maintain the Doctrine of Universal Grace in that manner as the Remonstrants are said to assert it, against the objection which is usually made by their adversaries, how Evangelical Grace can be offered to such nations or persons, as never had the Gospel preached unto them.*

§. 41.
Whether
the Hea-
thens have
Evangelical
Grace.

The truth of this Corollary, as of all other, must be judged of by the dependence from the Principle, the connexion it hath with the former Proposition, that spake of the Decrees as they are set forth in Scripture, and of the condition required of them that are elected to Salvation, receiving Christ preached, as He is offered in the Gospel; and accordingly it is most evident, that they that will found their Doctrine on Scripture, must find not only difficulty, but impossibility to maintain the gift of Evangelical Grace, (which I suppose to be a supernatural power to believe and obey the Gospel) to those, to whom the Gospel hath never been revealed. What the Remonstrants are said to assert in this matter, I shall forbear to examine, because I design not to engage in any controversy at this time with any: only, as on one side it is evident, that their adversaries can receive no benefit by the objection, the salvability of all to whom the Gospel is preached, being as contrary to their Doctrine of only the Elect, as it would be if extended to the Heathens also, all Christians being not with them in the number of the Elect; so, on the other side, I should think it strange that in our present notion of Evangelical Grace, for a strength from God to receive and obey the Gospel preached, it should by the Remonstrants or any other be affirmed from Scripture, that it is given or offered to those to whom the Gospel hath not been revealed. St. Paul styles the Gospel, *the power of God unto Salvation*, and the preaching of it the *διακονία Πνεύματος*, *administration of the Spirit*, and indeed the Spirit is in Scripture promised only to them who believe in Christ; and therefore, speaking of what may be maintained by Scripture, and confining the speech to Evangelical Grace, the universality of it can no further be by that maintained to extend, than to those to whom the Gospel is preached; for if Faith cometh by hearing, and hearing by the Word, i. e. preaching the Gospel, it must follow, *they cannot believe*, and so have not Evangelical Grace, or strength to believe *without a preacher*.

§. 42. And therefore I remember the learned Bishop of Sarisbury, Doctor Davenant, in his Lent Sermon, I think the last he preached before the King, * declared his opinion to be as for Universal Redemption, so for Universal Grace within the Church; and as for this he was, I think, by

* In the year 1630. Bp. Davenant's relation of the whole matter, in a Letter addressed to Dr. Ward, may be seen in

Fuller's Church History, Bk. ix. Century xvii. §. 16.

none accounted an Arminian, so I never heard any that was of the Remonstrant persuasions unsatisfied with the scantiness of that declaration, but thought it as much, as, speaking of Grace in the Scripture notion of it, Evangelical Grace, could with any reason be required of him.

As for the state and condition of Heathens, to whom the Gospel is not revealed, and yet it is no fault of theirs that it is not, as all those that lived before Christ and many since, as it is evident the Scripture was not delivered to them, nor consequently gave to us, Christians, rules for the judging of them, so it is most reasonable which you add in your second Corollary, which is this,

§. 43.

That into the consideration of God's Decrees such nations or persons are not at all to be taken, as never heard of the Gospel; but they are to be left wholly to the judgment of God, since He hath not thought fit to reveal to us any certainty concerning their condition, but reserved it to Himself, amongst His other secret counsels, the reasons of His wonderful and unsearchable dispensations in that kind. To which I most

§. 44.
Of the condition of those to whom the Gospel is not revealed.

willingly subscribe in every tittle, and challenge it as the just debt to the force of that reason that shines in it, that no man pass fatal decreetory sentences on so great a part of mankind, by force of those rules, which they never heard of, nor without hearing could possibly know that they were to be sentenced by them. And this the rather, upon four considerations which Scripture assures us of. First, that as all men were dead in Adam, so Christ died for all that were thus dead, for every man, even for those that deny Him, and finally perish: which as it must needs extend and be intended by Him that thus tasted death for them, to the benefit of those that knew Him not, (for if He died for them that deny Him, why not for them that are less guilty, as having never heard of Him, especially when it is not the Revelation of Christ, to which the Redemption is affixed, but His Death) so the certain truth of this is most expressly revealed and frequently inculcated in the Scripture, though nothing be there found of God's Decrees concerning them, upon this ground especially, that no person of what nation soever should have any prejudice to Christian Religion when it should be first revealed to him, when he finds his interest so expressly provided for by so gracious a Redeemer, who, if He had not died for every man, it were impossible for any preacher to assure an infidel that He died for him, or propose any constringent reason to him, why he should believe on Him for Salvation. To this it is consequent that whatsoever God's unrevealed ways are, to deal with any Heathen, what degree of repentance from dead works, obedience, or performance soever He accept from them, this must needs be founded in the Covenant made with mankind in Christ, which you most truly have established, there being no other Name under Heaven, no Salvation possible to lapsed man by any other Covenant, which, being set in opposition to the first Covenant of perfect unsinning obedience, and therefore called

Four considerations concerning them.
The first.

a second and Evangelical Covenant, on condition only of sincere obedience, of doing what by God's gift, purchased by Christ, men are enabled to do, it follows still, that whatsoever acceptance or mercy they who never heard of Christ can be imagined to have afforded them by God, must be conformable to the tenour of the Evangelical Covenant, and so to the praise of the glory of that *Grace*, whereby whosoever is accepted by God, is accepted in the Beloved.

§. 45. The second consideration is the analogy, which, in one respect, is Thesecond. observable between those to whom the Gospel is not revealed, and all children and idiots within the pale of the Church; for although believing in Christ were supposed equally by the law of Scripture to be exacted of all, and so of both those sorts, (nay by the intervention of the vow of Baptism to be more expressly the obligation of those that are baptized than those that are not,) yet there is no reason producible to free the Christian children and idiots from the blame of not believing, which will not with equal force be producible for those Heathens to whom the Gospel was never revealed, it being as impossible to see without the presence of the object, as without the faculty of sight, without the sun, as without eyes, without the revelation of Christ, as without the intellective faculty; which if it be not part of the importance of that Decree of Heaven, *Go and preach*, and then *he that believeth not shall be damned*, yet it is fully accordant to it, and shews that that Text was not designed to give suffrage to the damnation of all but Christians, which is all that your Corollary, or my observations have aspired unto; to which it is yet further necessarily consequent, that these Scripture Decrees which you speak of (and whosoever speaks of any other must be resolved to speak from some other dictate than that of Scripture,) comprize not all men, no, nor all baptized Christians under them, being terminated only in those to whom the Gospel is revealed; and those certainly are not all that are brought into the world, or even to Baptismal new birth.

§. 46. The third. The third consideration is, that seeing the Scripture assures us, that they which have received more, of them more shall be required, and that he that knoweth and doeth not, shall be beaten with many stripes, this must needs advertize us that whatever privileges Christians may have beyond Heathens, this is not one, that a smaller degree of obedience and performances shall be accepted of them than of Heathens would be, but the contrary, that to whom less is given, less will be required, according to that of S. Augustine, *Ex eo quod non accepit nullus reus est*, No man is guilty from that which he hath not received.

De Libero Arbitrio, iii. cap. xvi. §. 45. §. 47. The fourth. The fourth consideration is, that God rewards those that have made use of the single talent, that lowest proportion of Grace which He is pleased to give; and the method of His rewarding is by giving them more Grace, which as it is in some degree applicable to Heathens, who have certainly Rom. i. 18. the talent of natural knowledge, and are strictly responsible for it, so if they use not that, but retain the truth in unrighteousness, that makes their condition but the same with ours, who are finally lost also, and at the present have our talent taken away from us, if we make not the due use of it.

This, it is visible, hath befallen those nations who once had the Gospel preached to them, and, after the knowledge of the truth, returned to their heathen sins, and so had their candlestick taken from them, to which, and not to God's primary denying them Evangelical Grace, their present barbarity is to be imputed. And the only conclusion which we can hence duly make, is the acknowledgment of God's just judgments on them, and reasonable fear lest He deal in like manner with us, if we transcribe their copy, imitate them in their demerits. Should God most justly thus punish this nation at this time, could it either now or in future ages be reasonable hence to argue against the Doctrine of Universal Grace, in case there were a concurrence of all other evidences for the truth of the Doctrine? Certainly it could not. In like manner then it cannot be reasonable to argue thus from the like fate, and effects on other nations.

§. 48.

To which I may add, that Christ being, we know, in God's Decree and Promise, *the Lamb slain from the beginning of the world*, if this argument be now of force against the Heathens, it must equally hold against all that understood no more of the predictions of Christ, than the Pagans do now of the history.

§. 49.

And then it must, should it have force, follow, not only that the Sacrifice of Christ was intended to be of avail to none but the Jews, to whom only the oracles of God were committed, (which yet you acknowledge was intended to all) but also that as far as we have ways of judging, a very small part of those Jews received the salvific Grace of Christ, if it were confined and annexed to the revelation and belief of Him. For if we may judge of other ages by that wherein Christ appeared, the prophecies of the crucified Messias were very little understood by that people. All this makes it more prudent, and rational, and pious, to search our own ways, than to pass sentence on other men; which is the only thing I have aimed at in these four considerations.

§. 50.

Your second Proposition, which you tender as a Conjecture, I cannot but own under an higher style of an evident truth of Scripture. It is this, *That there is to the outward tender of Grace in the ministry of the Gospel annexed an inward offer also of the same to the heart, by the Spirit of God going along with His Word, which some of the Schoolmen call auxilium Gratiae generale, sufficient in itself to convert the soul of the hearer, if he do not resist the Holy Ghost, and reject the Grace offered: which as it is grounded upon these words, Behold, I stand at the door, and knock; and upon very many other passages of Scripture beside, so it standeth with reason that the offer, if it were accepted, should be sufficient ex parte sui to do the work; which, if not accepted, is sufficient to leave the person not accepting the same unexcusable.* This, I say, I am obliged to assent to in the terms, and upon the double ground both of Scripture and Reason, whereon you induce it. If there were but one

§. 51.
The second
Conjecture
an undoubt-
ed truth.

Inward
Grace an-
nexed to the
Ministry of
the Gospel.

text of Scripture so convincingly inferring it, that sure would advance it above a barely probable Conjecture. But I think the whole tenour of the New Testament enforceth the same; and though you name but one, you say there are many other passages of Scripture, on which it is founded. I shall mention but two, 1. That of the Apostle, who calls preaching the word, *διακονίαν Πνεύματος*, the administration of the Spirit, which the Father expresses by *Verbum vehiculum Spiritus*, 'the Word is the chariot in which the Spirit descends to us.' 2^o. That description of resisting the Holy Spirit, which St. Stephen gives us, by their being like the Jews, which persecuted the Prophets which spake unto them, which concludes the Holy Spirit to be given with the preaching of the Gospel, else how could the rejecting and persecuting the one be the resisting of the other? So likewise though you mention but one reason, yet that is as constringent as many, nothing but sufficiency of supernatural Grace being competent to render him, that is acknowledged naturally impotent, unexcusable. And therefore deeming that abundantly confirmed to advance it above a disputable problem, I proceed to the next Proposition, the third, which you rank under the style of Conjectures. It is this,

Acts vii.
51.

§. 52.
The third
Conjecture
of effectual
Grace and
Scripture
Election
and Repro-
bation.

That because, the sufficiency of this General Grace notwithstanding, through the strength of natural corruption it might happen to prove uneffectual to all persons, God vouchsafed out of the superfluence of His goodness, yet ex mero beneplacito, without any thing on their part to deserve it, to confer upon such persons as it pleased Him to fix upon, (without inquiring into under what qualifications, preparations, or dispositions considered,) a more special measure of Grace which should effectually work in them faith and perseverance unto Salvation. This, you say, you take to be the Election especially spoken of in the Scriptures; and if so, then the Decree of Reprobation must be nothing else but the dereliction or preterition of the rest, as to that special favour of conferring upon them this higher degree of effectual Grace. Against this, you say, you know enough may be objected, and much more than you esteem yourself able to answer, yet to your apprehension somewhat less than may be objected against either of the extreme opinions.

§. 53.
Animadver-
sions on
this Con-
jecture.
The first.

Of this Proposition, as being the first by you produced, to which your caution seems to be due, some things may in passing be fitly noted.

First, that for the stating of that community which is here set down as the object of Election and Reprobation, and expressed by a general style 'all persons,' this caution is necessarily to be taken in, that the Proposition is not to be interpreted in the utmost latitude that the style 'all persons' is capable of, but as analogy with your former doctrine strictly requires, for the *generality of men preached to; and so neither*

*belongs to Heathens, nor to the infants or idiots, or uninstructed among Christians, but to those that having the Gospel revealed to them, and sufficient Grace to enable them to receive it, are yet left in the hand of their own counsel * whether they will actually receive it, or no.*

Now of these (which is the second thing to be observed in your Proposition) it is manifest, that if, as you suppose both in the former and in this Proposition, they have Grace truly sufficient afforded them, then they want nothing necessary to a fallen weak sinful creature, to conversion, perseverance and Salvation; and if so, then by the strength of this Grace, without addition of any more, they may effectually convert, persevere and be saved; and then, though what may be, may also not be, and so it be also possible that of all that are thus preached to, and made partakers of this Grace, no one shall make use of it to these effects, yet this is but barely possible, and not rendered so much as probable, either upon any grounds of Scripture or Reason. In the Scripture there is no word revealed to that sense, or, that I ever heard of, produced or applied to it; but on the contrary, in the Parable of the Talents, which seems to respect this matter particularly, they that received the Talents to negotiate with, did all of them, except one, make profit of them, and bring in that account to their Master, which received a reward, which is utterly unreconcilable with the hypothesis of God's foreseeing that the talent of sufficient Grace would be made use of by none that received no more than so. As for that one that made not use of it, all that is intimated concerning him, is, that if his share comparatively was mean, yet by the Lord he is charged as guilty for not putting it into the bank, that at His coming He might receive His own with usury, which certainly evinces, that that lazy servant is there considered as one that might have managed his stock as well as the rest, and that that stock was improvable no less than the other, according to their several proportions; and so herein there is no difference taken notice of in favour to your Conjecture.

§. 54.
The second,
from Scrip-
ture,

And in Reason it hath no sound of probability that of so great a number of Christians, sufficiently furnished by God, no one should make use of it to their soul's health. It is evident in the Apostles' preaching at Jerusalem and elsewhere, that at the first proposal of the truth of Christ to them, and the doctrine of repentance, whole multitudes received the Faith, and came in; and no doubt many of them proved true and constant Christians; and it is not amiss to observe of the heads of doctrine, which the Apostles agreed to publish in all their peregrinations, that they are of such force, and were on that account pitched on by them, as might reasonably and probably, with the supposed concurrence of God's Grace, beget repentance and new life in all, to whom they were preached over the whole world, (and then what the Apostles deemed a rational and probable means to that end, there is no reason or probability to think should never

* See above, p. 304.

in any produce this effect) according to that of Athanasius,^a that the Faith confessed by the Fathers of Nice, according to Holy Writ, is *αὐτάρκης πρὸς ἀνατροπὴν πάσης ἀσεβείας, σύστασιν δὲ εὐσεβείας ἐν Χριστῷ*, sufficient for the averting of all impiety, and the establishment of all piety in Christ. To which may be applied that of St. Augustine, of the Creed^b, *Quae pauca verba fidelibus nota sunt, ut credendo subjungentur Deo, ut subjugati recte vivant, recte vivendo cor mundent, corde mundo, quod credant, intelligant*. 'These few words are known to believers, that by believing, they may be subjugated to God, that by being subjugated, they may live well, that by living well, they may cleanse their hearts, that by cleansing their hearts, they may understand what they believe.' And herein the allwise providence and infinite mercy of God seems to be engaged; who, in the Parable of His dealing with His Vineyard, not only expostulates, *What could I have done more to my Vineyard which I have not done?* but also affirmeth that He looked it should bring forth grapes, and as a further evidence of that, built a wine-press, in expectation of its bearing fruit by strength of what He had done to it, which could not well be affirmed by, or of God, if it were not probable and rational, that in some it should have the desired effect.

Isaiah v.

§. 55.
And the unreconcilableness of this conjecture with making man preached to, the object of the Decrees.

And if what, on account both of Scripture and Reason, the only ways left us to judge by in this matter, is thus far removed from improbable, may be supposed to have any truth in it, i. e. if the sufficient Grace annexed to the authorized sufficient means, have, without further addition, ever converted any, it then follows necessarily in the third place, that the Election and Dereliction now proposed by you must have for its object not indefinitely, as before you set it, man preached unto, or all that part of mankind to whom the Gospel is offered, and that Grace annexed thereto, but only that portion of such, as are not wrought upon, or who God in His infinite prescience discerns would not be wrought upon effectually, and converted by that measure of sufficient Grace, which He hath annexed to the Word preached. For without inquiring what proportion of the number of men preached unto may probably be placed in that rank (or without assuming any more, than that it is neither impossible nor improbable that there should be such a rank) of men converted, and persevering by the strength of that foresaid sufficient Grace, annexed to the Word, the inference is undeniable, that all, whether few or many, that are of this rank (it being no way probable there should be none) shall certainly be saved by force of the second Covenant, which decreed eternal life to all that should believe on Him and receive Him, as the Gospel tenders Him, as their Lord and Saviour, and so cannot be comprised in the number of them to whom this supereffluence of goodness is supposed to be vouchsafed; in the granting of which *ex mero beneplacito* your conjecture makes the Scripture Election to consist, and in the Dereliction and

^a In Epist. ad Epictetum, §. 1. [. . . *πρὸς σύστασιν δὲ τῆς εὐσεβοῦς ἐν Χριστῷ πίστεως*, tom. i. p. 901. ed. Bened.]

^b In Libel. de Fide et Symbolo, in tom. iii. [p. 61. ed. Lovan. tom. vi. col. 164. ed. Bened. Paris. 1685.]

Preterition of the rest, in respect of that special favour, the Decree of Reprobation.

The plain issue whereof is but this, that if this conjecture, thus explained, be adhered to, then many, not only of children, idiots, heathen, formerly reserved to God's secret judgments, but of adult baptized Christians also, either are or may be saved, who are not of the number of the Scripture-Elect. Which whether it be reconcileable with the purport of those places, which in Scripture seem to you to respect Election, or to favour this opinion, I must leave to further consideration, being as yet incompetent to interpose any judgment of it, because I know not what those places are which most seem to favour it.

§. 56.

As for the Doctrine itself, of Supereffluence of Grace to some, abstracted from making it any account of God's Decrees of Election and Reprobation, it is such as I can no way question; for certainly, God being granted to give sufficient Grace to all, there is no objection imaginable against this superabounding to some *ex mero beneplacito*. Nothing more agreeable to an infinite abyss and unexhaustible fountain of goodness, than such Supereffluence; and he that hath not his part in it, yet having his portion, and that supposed sufficient, ought not to have an evil eye, to complain and murmur at this partiality and inequality of distribution of God's goodness; or if he do, the words of the Parable of the Labourers in the Vineyard must here have place: *Friend, I do thee no wrong: did not I agree with thee for a penny? Take that is thine, and go thy way. Is it not lawful for me to do what I will with my own?* And it is there observable, that all the occasion of murmuring arose from the order there observed in accounting with and paying the Labourers, beginning with them that came last into the Vineyard; for by that means they being allowed a day's wages for an hour's labour, the others' expectation was raised to an higher pitch than probably it would, if they had been paid and discharged first; for then, not seeing the liberality that others tasted of, they would in all probability have expected no more than the hire for which they agreed. And then why should so casual a circumstance as the being paid last or first, have any influence on their minds, or tempt them to murmur at God's goodness, who, from the nature of the thing, had no least temptation to it?

§. 57.
The Doctrine of Supereffluence of Grace to some, acknowledged.

S. Matt. xx. 13-15.

Only by the way it must be yielded to the force of that Parable, that that Supereffluence of which some are there supposed to taste, was no part of the Covenant of Grace, his agreement with them being but in these words, *Go into the Vineyard, and what is right you shall receive*; but, above what His bargain or covenant obligeth, of His good pleasure; though, on the other side, it be observable, 1^o. that an allowable account is there given by those men of their not coming sooner into the Vineyard, and consequently of their not bearing *the heat of the day*, in which all the disproportion between them and others, all the seeming Supereffluence is founded, viz. they were no sooner called or hired by any man; and 2^o. that by the application of the Parable to the ἑσχατος and πρῶτος, to those that came first, and those that came later into the Apostleship, to Peter, and

§. 58.
But this of Supereffluence no part of the Covenant of Grace.
S. Matt. vii.

Paul, there might still be place for more abundant labouring in those that came last, and so for reward, in proportion, though through mercy, to that more abundant labouring, according to the way of setting down the same parable among the Jews, in Gemara Hierosol.^c where the King's answer to the murmurers is, 'He in those two hours hath laboured as much as you have done all the day.'

§. 59.

But without examining the acts of God's munificence according to any rules but those of munificence, and again without insisting on the method which God Himself seems to direct us to in this matter, in the Parable of the Talents, where the rule is general, that *to him that hath shall be given, and he shall have abundance*, i. e. that the Supereffluence of Grace is ordinarily proportioned to the faithful discharge of former trusts, making use of the foregoing sufficient Grace, there will be little reason to doubt, but that God out of His mere good pleasure, without any desert on our part, doth thus dispense His favours to one, more than to another, to one servant five talents, to another ten, but to all some. Only the difficulties will be, 1^o. Whether it be not as possible, though not as probable, that the Supereffluence of Grace may be resisted, as the lower but sufficient degree; and then, whether the condemnation be not the greater, there will be no doubt. Paul, that is the most pregnant example of the Supereffluence, is still, under a woe, obliged to preach the Gospel, and whilst he preacheth to others, supposes it possible, that himself, if he do not bring his body into subjection, may become a castaway; and till he hath fought his good fight, and finished his course, and constantly kept the faith, we never find him confident of receiving his crown, which then he challenges from God's righteousness, or fidelity. 2^o. Whether the extraordinary favour of God which some men receive, and by virtue of which, over and above the sufficient Grace, they may be thought to be wrought on effectually, may not rather be imputed to God's special Providence, than His special Grace? So in Bishop Overall's way it seems affirmable; for in his Scheme the effectualness seems to be attributed to the giving what is given, *tempore congruo*, at a time when, whether by sickness, or by any other circumstance of their state, they are foreseen by God to be so qualified and disposed, that they shall infallibly accept Christ offered, on His own conditions, and so convert, and receive *the seed into good ground*, and so persevere and be saved, when the same man, out of those circumstances, would not have been wrought on by the same means. And if this be it which you mean (as I doubt not but it is, and that herein you perfectly agree with Bishop Overall) then I say the question is, whether the seasonable application or timing be not rather to be imputed to special Providence, the mercy of God's wise and gracious disposal to those men that are thus favoured, than to special Grace, as that signifies an higher degree of God's Grace than is that sufficient measure, which is afforded to others; it being possible that an equal, nay, a lower degree of Grace, being

Difficulties
concerning
Superefflu-
ence.

I.

Whether it
be not re-
sistible.

II.

Whether it
belong not
rather to
Providence
than Grace.

^c Cod. Berachoth. [See Hammond's Paraphrase and Annotations, or Wetstein. in S. Matt. xx. 12—15.]

congruously timed and tendered, may prove effectual, when the like, nay an higher, at another time, proves uneffectual. And though all acts of God's good Providence may in some sense be styled acts of His Grace, and so extraordinary Providences may be styled special Graces, in which sense, the striking Paul in his journey to Damascus, and calling to him out of Heaven with Grace proportionable to that call, may fitly be called a work of God's special Grace; and so is every sickness or other judgment, that is sent to melt any, supposeable to have a proportionable, and that is an extraordinary and special Grace annexed to it; and the Providence, and so the Grace is the greater, if it be applied *tempore congruo*, when there is no potent obstacle or principle for resistance; yet still the question is seasonable, whether this be all that is meant by this special measure of Grace, which shall work effectually; or, if more be meant, what ground there is for it in the Scripture.

To this second question your advertisement by letter hath given the satisfaction I expected, *that you were not curious to consider the distinction between the Grace and the Providence of God, there being no necessity for so doing, as to your purpose, which was only to express your sense, that it must be the work of God, whether of Grace or Providence it matters not, that must do the deed, and make the sufficient Grace effectual.*

§. 60.

This answer I accept, and make no further return to it: only, from the uncertainty of the former, as to any establishment from Scripture-grounds, and so likewise of this latter, till it shall appear by any sure word of promise to have any real influence on the matter in hand, there is way made for a third question,

Whether, granting the truth of all that is pretended for the Supereffluence of God's goodness to some, this can fitly be defined the thing whereto Election is determined, and whether all that have not their part in this, are in Scripture-style said to be reprobated. This, I say, not to propose any new matter of dispute, or to require answer to all that may be objected against this notion of Decrees, which you, and other very learned and sober men, have proposed by way of conjecture only, but rather to demonstrate my concurrence with you, that this can amount no higher at most than to a matter of conjecture.

§. 61.

III.

Whether this be it to which Election is determined.

And having said this, I shall propose it to your impartial consideration, I. Whether the Scripture ought not to be our guide in all even opining and conjecturing in such matters, which are so much above our reason?

§. 62.

Considerations from Scripture opposed to the former conjecture.

II. Whether the Scripture do not furnish us with these express grounds, 1^o. That there are some sort of auditors that come to Christ, become His proselytes, embrace the Gospel, when it is preached unto them, that are *εὐθετοὶ εἰς βασιλείαν τοῦ Θεοῦ*, *fit*, or prepared, or disposed for the kingdom of God, obedience to the Gospel, *τεταγμένοι*, *disposed for eternal life, on file for it*, in opposition to others, who are *οὐκ ἄξιοι ζωῆς*, not worthy of, meet, or qualified for the Evangelical state. 2^o. That probity of mind is specified to be this temper, a willingness to do God's will, that, in the Parable, of

S. Luke ix. 62.

Acts xiii.

48. 46.

S. John vii. 17.

S. Matt. xiii. 8. *the good ground*, and the *honest heart* meant by it. 3^o. That the Evangelical dispensations are governed by the maxim of *Habenti dabitur*; to the humble He gives more grace; the poor are evangelized; the children, and poor in spirit, of such, and of them is the kingdom of Heaven; and lastly, that *God hath chosen the foolish things of the world, the weak, the degenerate, the vilified, those that are not*, in opposition to the *mighty, powerful, noble and wise*. III. Whether on these and many other the like fundamental Truths of the Gospel, it be not more reasonable to fetch the ground of the effectualness of that sufficient Grace to one, which is not effectual to another, from the temper and disposition of the heart to which the Gospel is preached, than from any other circumstance, (especially when this doth not deny, or exclude the proper efficacy of those circumstances, whatsoever they or it shall any way appear to be) God having made the Baptist the Forerunner to Christ, Repentance to Faith, the *breaking up our fallow grounds*, to His *not sowing among thorns*, and the very nature of the Gospel being such, that all that are truly sensible of their sins, the odiousness and danger of them, and heartily desirous to get out of that state, the weary and heavy laden, the humble, docile, tractable, honest heart, willing to take Christ's yoke upon them, are constantly wrought on, and converted, when the promulgate mercies, or promises of the Gospel, and the Grace annexed to it, are addressed to them, whereas the very same, nay, perhaps a greater degree of light and Grace, meeting with a proud, refractory, pleasurable, or any way hypocritical, and deceitful heart, either is not at all heeded and received, or takes no firm root in it.

§. 63. And if now (the only objection I can foresee) it be demanded, whether this of probity, humility, &c. the *subactum solum*, soil mellowed and prepared for this effectual work of Grace, be not some natural quality of the man, for if so, then the efficacy of Grace will be imputed to these natural, or moral preparations, which is grossly prejudicial to the Grace of God, and to the owing of all our good to His supernatural operations, the answer is obvious and unquestionable, that this (I shall call it Evangelical) temper is far from being natural to any corrupt child of Adam: wherever it is met with, it is a special plant of God's planting, a work of His preparing, softening, preventing Grace, and as much imputable to the operation of His Holy Spirit, as any effect of His subsequent or cooperating Grace is, which I challenge to be the meaning of those words of Christ, *All that my Father giveth me, shall come to me*; where such as these are first fitted by God, and then by him are said to be given to Christ, works of His finger, His Spirit, and then by the author of them presented to Christ, as the persons rightly disposed for His discipleship, and His kingdom in men's hearts; and this work of God's in fitting them, is there called His drawing of them to Christ; and as there it is said that none but such can come to Christ, so, all such shall come to Him, which is an evidence that the coming, wherein the effectualness of the Grace consists, is imputable to this temper wrought in them by God. And if still it be demanded why this is not wrought in all Christians' hearts, I answer, finally, that the only reason the Scripture teaches us is, because

S. Luke viii. 15.
S. Matt. xiii. 15.
S. James iv. 6.
S. Matt. xi. 5.
S. Matt. xix. 14. and v. 3.
S. Luke vi. 22.
1 Cor. i. 27.
The ground of Effectualness of Grace more probably deduced from probity of heart.
Jer. iv. 3.

§. 63.
This probity no natural preparation, but of God's planting by preventing Grace.

S. John vi. 37.

verse 44.
verse 37.

some resist that Spirit that is graciously given by God, and purposely designed to work it in them.

And if it still be suggested, that some are naturally more proud and refractory, and voluptuously disposed than others, (an effect of their temper, owing oft to their immediate parents, who may transfuse their depravations and corruptions immediately to their children, as well as Adam hath done to us all mediately,) and so a greater degree of Grace will be necessary to the humbling and mollifying them, and a lower, which might be sufficient for meeker tempers, will be unsufficient for them, and so still these are as infallibly excluded and barred out, as if it were by a fatal decree passing them by *in massa*, this will be also satisfied, by resolving, that God in His wise disposals and abundant mercies, proportioned according to men's wants, gives a greater degree of prevention Grace to such as He sees to be naturally in greatest need of it, or else applies it so advantageously by congruous timing, as He knows is sufficient even to them, to remove these natural obstacles; but all this (to them, as to others) resistibly still, and so, as though it succeed sometimes, yet is frequently resisted.

By this means he that is proud and obstinate, and continues, and holds out such against all the softening preparations of Heaven, (sufficient to have wrought a kindlier temper in him) being so ill qualified for the *holy spirit of discipline*, is not converted, but hardened by the same or equal means of the Word of Grace, by which the humble is converted, and then replenished with higher degrees. And when the Scripture is so favourable to this notion, saying expressly that God chooses one and not the other, gives more Grace to one, and from the other takes away that which he hath, resists the proud, when they refuse discipline, speaks to them only in Parables, because *seeing they see not*, i. e. resist and frustrate God's preventing Graces, and infinite the like, why may not this rather be the Scripture-Election, than that other which seems not to have any, at least not so visible grounds in it?

Should this be but a conjecture too, it is not the less fit for this place, where our discourse hath been of such; and the only seasonable inquiry is, either 1^o. which is of probables the most, or of improbables the least such, and that I suppose is competently shewed already; or 2^o. which may be most safe, and least noxious, in case it should fail of exact truth.

On which occasion I shall add but this, that the only consequence naturally arising from this Scheme is, that we make our elections after the pattern of God, choose humility and probity, and avert pride and hypocrisy; that before all things in the world, every man think himself highly concerned, 1^o. not to resist or frustrate God's preventing Graces, but cheerfully to receive, cooperate, and improve them, to pray, and labour, and attend and watch all opportunities of Grace and Providence, to work humility and probity in his heart, impatience of sin, and hungering and thirsting after righteousness, as the only soil wherein the Gospel will ever thrive, to begin his discipleship with *repentance from dead works*, and not with assurance of his Election and Salvation, to set out early and

§. 64.
The one
Objection
against this
satisfied.

§. 65.
Wisdom i.
5.

S. Matt.
xiii. 13.

§. 66.

§. 67.
The safe-
ness of this
statting.

resolutely, without procrastinating, or looking back^d; and 2^o. if he hath overslipped such opportunities, to bewail and retrieve them betimes, lest he be hardened by the deceitfulness of sin; and 3^o. whatsoever good he shall ever advance to, by the strength of God's sanctifying and assisting Grace, to remember with the utmost gratitude, how nothing hath been imputable to himself in the whole work, but from the beginning to the end, all due to supernatural Grace, the foundation particularly (that which if it be the most imperfect, is yet the most necessary part of the building, and the sure laying of which tends extremely to the stability of the whole) laid in God's preventions, cultivating our nature, and fitting us with capacities of his higher donatives. And what can less prejudice, nay more tend to the glory of His Grace than this?

§. 68.
Compared
with the
other.

Whereas the other Scheme, as it takes special care to attribute all the work of conversion to Grace, and withal not so to limit that communicative spring, as to leave any destitute of a sufficient portion of it (in which respect I have nothing really to object against it, if it could but approve itself by God's Word to be the truth) so when it bears not any such impress of Divine character upon it, it may not be amiss to consider, whether he that is persuaded that the sufficient Grace is such as may, and, as some set it, God sees will never do any man good, without the addition of His Supereffluence, which He affords to few, (and that, if that come, it will infallibly do the work, if it come not, he is so passed by as to be reprobated by God) may not have some temptations to despair on one side, and not to do his utmost to cooperate with that sufficient Grace, which is allowed him, and so, with the fool in Ecclesiastes, *fold his hands together* till he comes to *eat his own flesh*, or else to presume on the other side, and expect securely till the coming of the congruous good time of God's choice, which shall give the effectualness to His Grace, and so be slothful and perish by that presumption?

§. 69. Whether the Scheme, as it is set by learned men, abstracting now from the truth of it, be in any considerable degree liable to this danger, I leave those, that are favourable to it, to consider, presuming that if it be, it will not be thought fit to be pitched upon as the most commodious, without either the authority of Scripture, or some other preponderating advantages tendered by it, which to me are yet invisible. And thus much may serve for the doctrine of God's Decrees, which if I mistake not, leaves them in relation to man, in this posture, as far as the Scripture-light leads us.

§. 70.
An Anace-
phalaeosis
of the Doc-
trine of
God's De-
crees

1. That God decreed to create man after His own image, a free and rational agent, to give him a Law of perfect, unsinning obedience, and confer on him Grace and faculties to perform it, and to reward that obedience with eternal bliss, and proportionably to punish disobedience.

2. That, foreseeing the wilful Fall of the first man, with whom, and

^d Μελλήσεως καὶ ἀναβολῆς πρόφασιν, ἀναβολῆς ποιεῖται πρόφασιν τὴν πρὸς Τίτῳ Βοστρενσί. [in S. LUC. ix. 62. τοὺς οἰκέλους, διάλεξιν. Biblioth. Vett. Pat. Paris. 1624. ii. 792.]

with all mankind in him, this Covenant was made, and consequent to that, the depravation of that image and that Grace, (the image of Satan, corruption of the Will and all the faculties, taking the place of it) He decreed to give His Son *to seek and to save that which was lost*, making in Him, and sealing in His blood a new Covenant, consisting of a promise of pardon and sufficient Grace, and requiring of all the condition of uniform sincere obedience.

3. That He decreed to commissionate messengers to preach this Covenant to all mankind, promised to accompany the preaching of it to all hearts with His inward sufficient Grace, enabling men to perform it in such a degree, as He in this second Covenant had promised to accept of.

4. That the method which He hath decreed to use in dispensing this sufficient Grace, is, first, to prevent and prepare men's hearts by giving them the grace of humility, repentance, and probity of heart, i. e. by awaking and convincing men of sin, and giving them, in answer to their diligent prayers, Grace sufficient to produce this in their hearts; and then, upon their making use of this Grace to the designed end, to add more powerful assistances and excitations, enabling them both to will and to do; and, upon their constant right use of these, still to advance them to an higher degree of sanctification and perseverance, till at length He accomplish and reward them with a crown of Glory.

On the other side, to forsake them in justice that obstinately resist and frustrate all these wise and gracious methods of His; and, having most affectionately set life and death before them, and conjured them to choose one, and avoid the other, still to leave unto them, as to free and rational agents, a liberty to refuse all His calls, to let His talents lie by them unprofitably; which if out of their own perverse choices they continue to do, He decrees to punish the contumacy finally, by assigning them their own options, to take their talents from them, and *cast them into outer darkness, where shall be weeping, and wailing, and gnashing of teeth*.

§. 71.
Of Repro-
bation.

How clearly every part of this Scheme is agreeable to the several Parables, whereby Christ was pleased to adumbrate the Kingdom of Heaven, and innumerable other passages in the Gospel, and the whole purport of the New Covenant, I leave to every man to consider, and then to judge for himself, whether it be not safer and more Christian to content ourselves with this portion, which Christ hath thought fit to reveal to us, than to permit our curiosities to deeper and more pragmatic searches, especially if those shall either directly, or but consequentially, undo, or but darken what is thus explicitly settled.

§. 72.
The Con-
clusion.

I proceed now to your second head of Discourse, (which also I suppose, is, by what hath been already considered, competently established) concerning the Efficacy of Grace, &c. where your Proposition is thus set down:

§. 73.
Of the Efficacy of
Grace.

That in the conversion of a sinner, and the begetting of faith in the heart of man, the Grace of God hath the main stroke, chiefest operation, yet so, that the Free Will of man

§. 74.

doth in some sort cooperate therewith, (for no man is converted or believeth without his own consent) all parties pretend to agree. The point of difference is, how to state the manner and degree of the cooperation, as well of the one as of the other, so as neither the glory of God's Grace be eclipsed, nor the freedom of man's Will destroyed. In which difficult point, you say, you think it fitter to acquiesce in those aforesaid acknowledged truths, in which both sides agree, than to hold close to either opinion.

§. 75.
The Power
of Grace in
conversion,
&c.

In this Proposition,—it being by you in the conclusion most undeniably and Christianly resolved, that the one care ought to be, that *neither the glory of God's Grace be eclipsed, nor the freedom of man's*

Will destroyed, — it would not be amiss a little to reflect on the former part, and demand whether your expression were not a little too cautious in saying, *the Grace of God hath the main stroke and chiefest operation*, did I not discern the ground of that caution, because you were to express that whereunto all parties must be supposed to consent. This being abundantly sufficient to account for your caution, I shall not doubt of your concurrence with me, that it may with truth be said, and I suppose also by the agreement, if not of all Christians, yet of both parties in this debate, particularly of the Remonstrants, that the Grace of God is in lapsed man *the one sole principle of spiritual life, Conversion, Regeneration, Repentance, Faith, and all other Evangelical virtues*; and that all that can justly be attributed to our Will in any of these, is the obeying the motions, and making use of the powers, which are thus bestowed upon us by that supernatural principle, to work and *work out our own Salvation*, upon the strength of God's *giving us to will and to do*. By *giving us to will and to do*, meaning

S. Luke i.

His giving us power to each, as *δοῦναι λατρεύειν* is giving us power to serve Him in holiness and righteousness all the days of our lives: every initial and more perfect act of holiness, especially persevering in it all our days, being wholly imputable to that power which is given by God's Spirit. For indeed when it is considered what the state of our corrupt Will is, being naturally averted from God and strongly inclined to evil, it seems to me scarce proper to call this, in relation to supernatural virtues, a Free Will, till God by His preventing Grace hath in some degree manumitted it, till Christ hath made it free. Being then what it is, i. e. in some degree emancipated by God's Grace, and by Grace only, this act of Christ's love and Grace being reached out to enemies, to men in their corrupt state of aversion and opposition to God, the Will is then enabled, still by the same principle of Grace, to choose life, when it is proposed, and the ways and means to it; and though it be left free to act or not to act, to choose or not to choose, yet when it doth act and choose life, it doth it

What the
freedom of
Will now
is.

no otherwise, to my understanding, than the body doth perform all the actions of life, merely by the strength of the soul, and that continual animation it hath, it receives from it; which makes the parallel complete, and gave ground to the expression and comparison betwixt giving of natural life and regeneration.

What freedom the Will naturally, under this corrupt state, hath to other things of all sorts, I do not now consider, any further than that it is fully furnished with ability to sin, and so to refuse and condemn, and to receive in vain the Grace of God; and Grace itself doth not deprive it of that part of its corrupt patrimony. As for an uniform constant choice of those *things that belong to our peace* and spiritual end, for the beginning of that, and every step of motion through, and perseverance in it, its freedom, and strength, and every degree of life or action, is wholly and entirely from Grace; and then he that without Him *can do nothing, can do all things through Christ that strengthens him*. And so the only remaining question is (which to me, I confess, is a posing one,) what exception can possibly be started against this stating, and consequently what further doubt there can be in this matter. §. 76.
Ability to sin.

I have of myself, by my natural generation, (but this is also from God) power for natural, nay sinful actings: for this I need no further principle, and the supervenience of a supernatural takes it not from me. Our experience assures us, what the Scripture so oft mentions, that we often *resist the Holy Ghost*, which we could not do, if at least it were not tendered to us. But for all degrees of good, from the first good motion toward conversion, to the enstating us in glory, it is wholly received from the Spirit of God, and the glory of it cannot in any degree, without the utmost sacrilege, be arrogated or assumed to ourselves, as the work of our Free Will; and seeing it is one act of superabundant Grace to enable us to do any thing, and another to reward us for doing it in so imperfect a manner, and with such mixtures of manifold pollutions, and a third to exercise us in, and reward us for those things which are so agreeable and grateful to our reasonable nature, Commandments far from grievous, *a gracious yoke*, as well as *a light burthen, not unto us, O Lord, not unto us, but to Thy Name, give we the praise. Praise the Lord, O my soul, and all that is within me, praise His holy Name*. §. 77.
All good due to Grace.

What you add on this theme, is by way of reflection, on the inconvenient opinions of the opposite parties in this matter. §. 78.

I. *That, on the Calvinists' part, these two things, viz. the physical Predetermination, and, which must necessarily follow thereupon, the Irresistibility of the work of Grace, seem to you to be so inconsistent with the natural liberty of the Will, and so impossible to be reconciled therewith, that you cannot yet by any means fully assent thereto.* The style wherein this concludes, *cannot yet fully*, signifies to me, that you have, with great impartiality, if not with favour and prepossession of kindness to the Anti-Remonstrant side, endeavoured your utmost to reconcile these Predetermination and Irresistibility.

How un-
concilable
with Chris-
tian prin-
ciples.

two Doctrines of Predetermination and Irresistibility with the common notions of Morality and Christianity, and you cannot find any means to do it; and I fully consent to you in it, and cannot but add, that the very being of all future judgment, and so of Heaven and Hell, considered as rewards of what is here done in our bodies, whether good or bad, nay the whole economy of the Gospel, of giving, and giving more, and withholding and withdrawing Grace, and the difference betwixt the Grace of Conversion and Perseverance, and the force of exhortations, promises, threats, commands, and what not, depends immediately and unavoidably on the truth of the Catholic doctrine of all ages, as in these points of Predetermination and Irresistibility, it stands in opposition to the Calvinists. The showing this diffusedly, according to the merit of the matter, through the several steps, were the work of a volume, of which I shall hope there can be no need, after so many have been written on the subject.

§. 79.

Your next reflection is on the Arminians, of whom you say,

Of Armi-
nians attri-
buting too
little to
Grace.

On the other side, methinks, the Arminians ascribe less to the Grace of God, and more to the Free Will of man, than they ought, in this, that according to their doctrine, why of two persons, as Peter and Judas, supposed to have all outward means of conversion equally applied, yet one should be effectually converted, the other not, the discriminating power is by them placed in the will of man, which, you say, you should rather ascribe to the work of Grace. If this be the right stating of the case between the Arminians and their opposites, I am then, without consulting the Authors, assured by you that I am no Arminian; for I deem it impossible (I say not for any man, not knowing what miracles the magic of some men's passions may enable them to work, but) for you that have written what I have now set down from you, to imagine you ascribe more to the Grace of God, and less to the Will of man, than I have thought myself obliged to do, making it my challenge and interest, and requiring it to be granted me (and not my concession only) that all that any man is enabled to do, is by Christ's strengthening him.

§. 80.

But not to question what others do, or to accuse or apologize for any, let us consider the case you set, and allow the truth to be judged of, in this whole question, by what this particular case shall exact.

§. 81.

Of Judas
whether he
were not
converted.

But first, in the setting of it, I cannot but mark two things, 1^o. That the persons made use of to set the case in, are Judas and Peter. 2^o. That to the word 'converted' is prefixed 'effectually.' This would make it probable, that you think a man may be converted, and yet not effectually converted, or however that Judas was not effectually converted. That Judas was converted, and, as far as concerned the present state, abstracted from perseverance, effectually converted, I offer but this one testimony, the words of Christ to His Father, *Of those whom Thou gavest me I have lost none, save only the son of perdition.* That whosoever is by the Father given to Christ, is converted, and that effectually, is concluded

S. John
xvii. 12.

from Christ's universal proposition, *All that my Father giveth me shall come to me*. And here it is expressly said that Judas, though by his apostasy now become *the son of perdition*, was by God given to Christ, and therefore he came to Christ, i. e. was converted, which also his being lost, his very apostasy testifies; for how could he apostatize from Christ, that was never come to Him? From hence it seems to me necessary either to interpret your speech of Final Perseverance, as if none were effectually converted but such who persevere, (which as it belongs to another question, that of Perseverance, to which you after proceed, and not to this of reconciling Irresistibility and Free-Will, so it would seem to state it otherwise than I perceive you afterwards do) or, to avoid that, to understand no more by Judas and Peter than any other two names, suppose Robert and Richard, John at Noke and John at Style, as you since tell me your meaning was, the one converted effectually, i. e. really, the other not, when both are supposed to have the same outward means of conversion equally applied to them.

Now, to the question thus set of any two, and supposing what hath been granted between you and me, that the outward means are accompanied to both with a sufficient measure of inward Grace, my answer you discern already, that the discrimination comes immediately from one man's resisting sufficient Grace, which the other doth not resist, but makes use of. In this, should I add no more, there could be no difficulty, because as it is from corruption, and liberty to do evil, (that meeting with the resistibility of this sufficient Grace) that one resists it, so it is wholly from the work of Grace upon an obedient heart, that the other is converted. And so this stating ascribes all the good to the work of Grace, i. e. to that power which by supernatural Grace is given him, and all the ill to man and his liberty, or ability to resist.

§. 82.

Whence discrimination comes.

From man's liberty to resist.

But from what hath been said, there is yet more to be added, viz, that the obedience of the one to the call of Grace, when the other, supposed to have sufficient, if not an equal measure, obeys not, may reasonably be imputed to the humble, malleable, melting temper, which the other wanted, and that, again, owing to the preventing Graces of God, and not to the natural probity, or free-will of Man: whereas the other, having resisted those preparing Graces, or not made use of them, lieth under some degree of obduration, pride, sloth, voluptuousness, &c. and that makes the discrimination on his side, i. e. renders him unqualified and incapable to be wrought on by sufficient Grace; and so still, if it be attentively weighed, this attributes nothing to free-will, considered by itself, but the power of resisting and frustrating God's method's (which I should think, they that are such assertors of the corruption of our nature, should make no difficulty to yield him, but that they also assert the Irresistibility of Grace, and that is not reconcileable with it) yielding the glory of all the work of conversion, and all the first preparations to it, to His sole Grace, by which the Will is first set free, then fitted, and cultivated, and then the seed of eternal life successfully sowed in it.

§. 83.

From God's Preventions.

Nothing imputed to man but power of resisting.

The whole work of conversion to Grace.

§. 84. If the Remonstrants yield not this, you see my profession of dissent from them: if they do, as for ought I ever heard or read, (which indeed hath been but little in their works, that I might reserve myself to judge of these things without prepossession), they doubt not to do, you see you have had them misrepresented to you. But this, either way, is extrinsecal and unconcernant to the merit of the cause, which is not to be defended or patronized by names, but arguments, much less to be prejudiced or blasted by them.

§. 85. You now add, as a reason to enforce your last Proposition, *That although the Grace of God work not by any physical determination of the Will, but by way of moral suasion only, and therefore, in what degree soever supposed, must needs be granted ex natura rei possible to be resisted, yet God by His infinite wisdom can so sweetly order and attemper the outward means in such a congruous manner, and make such gracious inward applications and insinuations, by the secret imperceptible operation of His Holy Spirit, into the hearts of His chosen, as that de facto the Will shall not finally resist. That, you say, of the Son of Sirach, Fortiter et Suaviter, is an excellent Motto, and fit to be affixed, as to all the ways of God's Providence in general, so to this of the effectual working of His Grace in particular.*

§. 86. This, for the substance, falls in with the last of those which you so cautiously set down for mere conjectures, seeming to you not improbable. And so here you continue to propose it, 1^o. As that, which God can do, and thus no Christian can doubt of it. 2^o. By the one testimony which you tender for the proof it, the words of Ecclesiasticus, *strongly but sweetly*, which though it be there most probably interpreted of the works of God's Providence, not particularly of His Grace, so if it were, most fully expresses their thoughts, who, building on the promise of sufficient Grace, and the way of the working of that by moral suasion, will apply the *fortiter* to the sufficiency, and the *suaviter* to the suasion, and yet resolve, what frequent experience tells us, that those that are thus wrought on, strongly and sweetly too, and as strongly and sweetly, if not sometimes more so, as they that are converted by it, are yet very, very many times, not converted.

§. 87. Here therefore the point lies, not whether God can thus effectually work upon all that He tenders sufficient Grace unto, nor again, whether sometimes, and whensoever He pleaseth, He doth thus work, for as this is the most that you demand, so this is most evident, and readily granted; but 1^o. Whether all are effectually converted and persevere, and so are finally saved, on whom God doth work thus sweetly and powerfully, attempering the outward and inward means, applications and insinuations, by the secret imperceptible operations of His Spirit, and that in a congruous manner,

I add time also. 2^o. Whether His doing thus is such an act of His Election, as that all to whom this is not done, shall be said in Scripture to be left, passed by, and reprobated.

If thus it is, (not only can be,) and if it may be convincingly testified by any text of Scripture that this really is the Scripture Election, it shall be most willingly and gladly yielded to. But till this be done, 1^o. That other Scheme, which I so lately set down, may be allowed to maintain its competition against this; and 2^o. It is to be remembered from the premisses, that the glory of God's Grace in every one's conversion is abundantly taken care of, and secured, without the assistance of this. 3^o. That the ground of the Anti-Remonstrants' exception to the Arminian occurs in this way of stating too; for since it is here affirmed, that Grace even thus applied is possible to be resisted, why may not the accepting this higher degree be as imputable to man's Will, as of the other barely sufficient Grace the objector supposes it to be?

§. 88.

Lastly, the saying of our Saviour, S. Matt. xi. 21, is of no small moment in the case, and yields a substantial prejudice to this way. For first, It is expressly affirmed, verse 20, of those cities wherein were wrought *αἱ πλεῖσται δυνάμεις αὐτοῦ*, His most abundant powers or miracles, that *οὐ μετενόησαν*, they repented not. His miracles, I suppose, had His Grace annexed to them; and it is hard to believe that where His most numerous miracles were afforded, they should all want the advantage of the congruous timings to give them their due weight of efficacy. However there is no pretence of believing it here, where it is said, Christ *ἤρξατο ὀνειδίζειν*, began to reproach and upbraid them, that the miracles had been so successful among them; which He could with no propriety do, if any circumstance needful to their efficacy had been wanting to them; and, verse 22, the more intolerable measure of damnation, which is denounced against them, puts this beyond question, that these wanted not the more superabundant advantages of Grace. Secondly, it is also as explicitly pronounced by Christ, that those miracles and that Grace which were not effectual to the conversion of those Jewish cities, Chorazin and Bethsaida, would have been successful to the conversion of others, and made them proselytes and penitents of the severest kind, *in sackcloth and ashes*. Whereupon I demand, had those means, those miracles, the instruments and vehicles of Grace, that were then used to Chorazin and Bethsaida, the timings and other advantageous circumstances, which the opinion, now under consideration, pretends to be the infallible means of the Salvation of the Elect, or had they not? If they had, then it seems these may fail of converting, and so have not that special efficacy which is pretended, it being expressly affirmed, that here they succeeded not to conversion. But if they had not the timings, &c, then it remains as undeniable as the affirmation of Christ can render it, that those means, that Grace, which hath not those advantageous circumstances, may be, nay, if granted to Tyre and Sidon, Heathen cities, would actually have been successful to them. And what can be more effectual to the prejudice of a conjecture, than this double force of the words of Christ confronted expressly to both branches of it? And then I hope

§. 89.
A special
prejudice
to the Con-
jecture.

I may with modesty conclude, that there remains no visible advantage of this way to recommend it, in case the Scripture be not found to own, and more than favour it in some other passages.

§. 50.

Your last Proposition on this theme is, that *Sith the consistence of Grace and Free Will is a mystery so transcending our weak understandings, that it hath for many years exercised and puzzled the wits of the acutest Schoolmen to find it out, inso-much as hundreds of volumes have been written and daily are de concursu Gratiae et Liberi Arbitrii, and yet no accord hath hitherto followed, you say, you have ever held, and still do hold it the more pious and safe way, to place the Grace of God in the throne, where we think it should stand, and so to leave the Will of man to shift for the maintenance of its own freedom, as well as it can, than to establish the power and liberty of Free Will at the height, and then to be at a loss how to maintain the power and efficacy of God's Grace.*

§. 91.

Consistence
of Grace
and Free
Will.

The diffi-
culties
the School-
men's way,
whence.

How easily
superseded.

But if what hath been clearly laid down, for the attributing all our spiritual good to the work of Grace, and assuming nothing of this kind to the innate power of Free Will, but a liberty to resist Grace, the rest being humbly acknowledged to be due to a supernaturally conferred freedom, or emancipation, whereby we are enabled to make use of Grace, and by the power thereof to cooperate with it; then, 1^o. The consistence of Grace and Free Will in this sense, is no such transcending mystery; and I think there is no text in Scripture that sounds anything towards the making it so. 2^o. It is evident, that the difficulties that have exercised the Schools in this matter arise from their endeavouring to state it otherwise, some by maintaining Predetermination and Irresistibility, which all the powers of nature cannot reconcile with Man's Free Will, *ad oppositum*. And some few that go another milder way, are yet afraid of departing too far from the former, and instead of Irresistibility substitute Efficacy, as that signifies Infallibility of the event to the Elect, and so find difficulty to extricate themselves; whereas Grace sufficient, but resistible, given together with the Word to all to whom Christ is revealed, hath 1^o. itself nothing of difficulty in the conception, and, 2^o. being understood, utterly removes all further difficulty in this matter. For hereby we place the Grace of God in the throne, to rule and reign in the whole work of conversion, perseverance, and salvation, (and what can be more demanded, that we have not asserted? certainly nothing by you, who in setting down the consent of all parties, expressed it by no more than its having '*the main stroke and chiefest operation*') and need not put the Will of man to shift for the maintenance of its own freedom, as long as we can do it with much more safety and temper, than either by setting it at the height with the Pelagians, or endangering to convert it into a mere trunk, or leaving men to the duct of their own humours, either to advance it above its due, and

grow insolent, or depress it below what is meet, and so give up themselves to sloth and indifferency.

On the third or last head, concerning Grace, and Perseverance, your Propositions are three. The two former I shall set down together, because the first is but a preparative to, or one way of proof of the second, which only concerns our purpose.

§. 92.

I. *That faith and all holy Graces inherent in us, love, patience, and humility, &c. are the gifts of God wrought in us by His Grace and Holy Spirit, none will deny. But that they are wrought in us by infusion and in instanti, as Philosophers teach forms to be introduced into the matter by natural generation in instanti, at least that they are always or ordinarily so infused, you see no necessity of believing, or why it may not be said of these χάριτες, spiritual Graces, notwithstanding they be acknowledged the gifts of God, as well as of those χαρίσματα, spiritual gifts, as we translate them, which are certainly the gifts of God as well as the other, and so acknowledged; that they are, after the manner of other habits, ordinarily acquirable by industry and frequented acts, and the blessing of God upon our prayers and endeavours. To what purpose else were it for Ministers in their sermons usually to press motives to stir up men to labour to get faith, love, &c. and to propose means for their better direction, how to get them?*

Of falling from Grace.

II. *Whence, you say, it seemeth to you further probable, that faith and all other inherent Graces, as they may be with God's blessing attained, may be also lost again by sloth, negligence, and carnal security; and therefore you cannot but doubt of the truth of that assertion which the Contra-Remonstrants do yet aver with great confidence, that faith once had, cannot be lost; and other the like. The distinction that they use as a salvo to this question, of a true and temporary faith, signifieth, say you, little or nothing, for it at once both beggeth and yieldeth the whole question. It 1^o. beggeth the question, when it denieth that faith that may be lost to be true faith; and withal, 2^o. yieldeth the question, when it granteth a temporary faith, which term is capable of no other construction, than of such a faith, as being once had is afterwards lost. It is one of the Articles of our Church, that after we have received the Holy Ghost, we may depart from Grace given.*

Our Article.

§. 93.
Grounds of
it in Scrip-
ture.
In the Old
Testament.

In these two there is nothing for me to question, and as little to add to them, unless I annex, what I suppose you did not think needful, the express consent of Scriptures and Fathers, whereon our Church's Article must be resolved to have been founded. In the Old Testament the examples of the Angels in Heaven, of Adam in Paradise, and in a remarkable manner of two to whom God had given eminent testimony. 1^o. David, in the matter of Uriah, an odious murder added to adultery, and continued in impenitently, till after the birth of the child; the blemish whereof still sticks to him, and remains upon record, as an allay to all his excellencies, now that he is in Heaven. 2^o. Solomon, whose heart was by his multitude of wives and concubines taken off from God, and debauched to idols, no way being left us to discern whether ever he returned or no, unless his Ecclesiastes be a declaration and fruit of his repentance. And as these and many other examples, even of that whole Old Testament Church, the Jews, make this evident, so the words of Ezekiel are express both for total and final falling away. *If the righteous turn from his righteousness, in his unrighteousness shall he die.*

Ezek. iii.
20. and
xviii. 20.

§. 94.

In the New.

S. Luke
xxii. 32.

S. John xxi.
25.

S. Mark
xiv. 29, 31.

S. John
xvii. 12.
and vi. 37.

The New also is parallel, in the example of Peter, thrice, with time of deliberation between, and after express warning from Christ, and his resolute promise to the contrary, denying and abjuring of Christ, whose return from this fall with bitter tears, is called by Christ conversion, and the sin upbraided to him thrice after His resurrection: *Simon, son of Jonas, lovest thou me more than these?* in reference to his confident undertaking, *though all men should deny thee, or be offended, yet will not I.* And if the argument from Christ's express words, formerly produced, be of force, then is Judas, one of those that was by God given to Christ, and came unto, and believed on Him, an example of the blackest sort, testifying to this sad truth, that a believer and disciple of Christ may betray Him to His crucifixion, and die in desperation.

§. 95.

To these two instances, the former greatly aggravated with circumstances, the latter final, and of the highest degree imaginable, it is not needful to add more, else it is obvious to increase the catalogue with those that were polluted by the Gnostics, by name, Hymenæus and Alexander, who, *putting away a good conscience, concerning faith made shipwreck*; and again, Hymenæus and Philetus, who fell off so far as to the denial of any future Resurrection, of whom the Apostle there speaking, saith, *if God peradventure will give them repentance, and they may recover themselves out of the snare of the devil*, looking on their estate as that of lapsed believers, and though not utterly hopeless, yet extremely dangerous. And this exemplified in whole Churches, which are therefore threatened present destruction, if they do not speedily return.

1 Tim. i.
20.

2 Tim. ii.
17.

Apoc. ii.
and iii.

§. 96.

To which purpose the Texts in the sixth and tenth to the Hebrews are unanswerable. In the sixth, that *it is impossible*, i. e. extremely difficult, *for those that were once enlightened, &c, if they fall away, to renew them again unto repentance*, adding the similitude of the reprobate earth, *whose end is to be burned*. From which how distant is the doctrine of those, that either imagine it impossible for such to fall away totally, or if they are

fallen away, not to be renewed again to repentance. In the tenth also, it were vain to make so severe interminations against those who *sin wilfully after receiving the knowledge of the truth*, as we read, verse 26, if there were no possibility of so sinning; but especially the thirty-eighth verse is remarkable, *The just shall live by faith, καὶ ἐὰν ἰποστειληται, and if he, the just, shall draw back, my soul hath no pleasure in him*, explicating, verse 39, what drawing back he speaks of, even drawing back *unto perdition*; and that is final as well as total, and both, it seems, very possible, as every where appears by the exhortations to him *that thinketh he standeth, to take heed lest he fall*: when if he do, it had ¹ *been better never to have known the way of righteousness, than after he hath* ^{12.} *known it, to turn from the holy Commandment*; and this in such a degree, ² *as is expressed by returning to the vomit, and wallowing in the mire, the* ^{21.} *acts and habits of the foulest sins, in forsaking of which their conversion consisted.*

The testimonies of the Fathers are too long to be set down, and indeed §. 97. unnecessary to the confirmation of that to which the Scripture hath testified so plentifully, especially since it is not, it cannot be, denied by the contrary-minded, that St. Augustine, the only fautor of their cause, in the S. Au- point of Decrees and effectual Grace, granteth possibility of falling, both ^{gustine.} totally and finally, from a justified estate, and useth it as a means to prove his absolute Decrees.

I now proceed to your third and last Proposition in these words,

Yet I believe we may securely admit the doctrine of Per- §. 98.
severance of God's Elect, and the certainty thereof, so as it ^{Of Perse-}
be understood, 1°. Of their Final Perseverance only, leaving ^{verance of}
room for great, perhaps total, interruptions and intermissions ^{the Elect.}
in the mean time. 2°. Of the certainty of the thing, certitudo
objecti, in regard of the knowledge and purpose of God, but,
not of any undoubted assurance that the Elect themselves
have thereof, certitudo subjecti, as we use to distinguish them:
there being a great deal of difference between these two
Propositions, It is certain that the Elect shall not fall away,
finally, and, The Elect are certain that they shall not fall
away finally.

In this Proposition I can fully yield my concurrence, if by rendering §. 99.
my reasons for my consent, I may be allowed to express what I mean by it. This I shall do through the several branches of it.

First, I believe not only that securely we may, but that, of necessity and under the pain of contradiction *in adjecto*, we must admit the doctrine of Perseverance of God's Elect, and the certainty, most unquestionable certainty, thereof; God's Election of any person to the reward of the Covenant being undoubtedly founded in the Perseverance of that person in the Faith, this Perseverance being the express condition of the

S. Matt.
xxiv. 30.
Heb. x. 30.
§. 100.

Covenant: *He that endureth to the end, the same shall be saved*, he and none but he; *but if he draw back, God's soul hath no pleasure in him.*

Temporary
Faith may
be true.

Which that it is nothing available toward concluding that they which can fall totally from their justified state, may not yet fall finally also, I infer to be your sense from your great dislike to the Calvinists' *Salvo*, taken from the distinction of a true and temporary Faith, which assures me, you take that Faith for true, which yet is but temporary, than which nothing is more contrary to the establishing the Perseverance of all the faithful, unless there be some promise that all temporaries shall so recover again before their death, as finally to persevere, (which as I think, it will not be pretended, so if it be, they are no longer temporaries,) or unless it cease to be in their power to continue in their sins, into which they are fallen, which sure it cannot, unless the Grace of Perseverance be irresistible, which if it were, there is no reason why that of Conversion, to all that are converted, should not be irresistible also.

§. 101.
The Elect
subject to
intercisions.

Secondly, For their great, perhaps total interruptions and intercisions in the mean time, I can no way doubt but those are subject to them, who yet, upon God's foresight of their return and persevering constancy at length, are elected to Salvation. It is certain, which the Article of our Church saith, that as they 'which have received the Holy Ghost may depart from Grace given and fall away, so by the same Grace of God they may return again;' and then returning they may, no doubt, persevere; and then it is certain, they are elected to Salvation, the mercy and pardon in Christ extending not only to the sins of an unregenerate state, and the infirmities and frailties of the regenerate, but also to all the wilful sins and falls of those that do timely return again by repentance, as David and Peter did, (but Judas certainly, Solomon possibly, did not,) and then continue stedfast unto the end. And so it is only the Final Perseverance that is required indispensably of the Elect, which is reconcileable with their great, perhaps total intercisions.

§. 102.
The falls of
those that
have been
once regenerate
no more reconcileable
with God's
favour than
of the un-
regenerate.

But it is not amiss here to advert, that this doth no more suppose or include the reconciliation or favour of God, to those that have been once regenerate, when they are fallen into gross sins, than to the unregenerate remaining in the same or greater sins, it being as possible in respect of us, perhaps more probable in respect of God, that the unregenerate may convert and persevere, (and then they are approved to be the Elect,) as that they that were once regenerate, but now fallen, may return again. It is as certain from before Paul's birth, and from all eternity, that he was elected, as that David or Peter was; and, then, either his blasphemous persecuting the Name of Christ must have been, at the time when he was guilty of that, reconcileable with God's favour, viz. before his conversion, (and then for the gaining of God's favour what needed his conversion?) or else Peter's denying and abjuring of Christ, David's adultery and murder must not be reconcileable, notwithstanding their supposed Election. For as to the sonship of their former life, that will no more excuse their contrary wasting sins, than the future sonship of the other: nay, it

will set the advantage on the other side, the unconverted Saul obtains mercy, because he did it *ignorantly, in unbelief*, whilst their sins have the aggravation of being sins against Grace, and forsaking and departing from God, which respect makes the state of Apostates, as the most unexcusable, so the most desperately dangerous state.

Thirdly, That there is a *Certitudo Objecti* to all the Elect cannot be doubted; for if they be elected to Salvation, they will finally persevere: if they persevere not, they were not elected. Again, this certainty of the object is a certainty in regard to the knowledge and purpose of God. 1°. Of His knowledge that either they will not fall, or if they do, that they will rise again, and then finally persevere. 2°. Of His purpose or Decree of Election, that every such, finally persevering, though formerly lapsed Christian, shall be saved.

Fourthly, For the *Certitudo Subjecti*, as I consent to you fully in disclaiming any necessity of that, so I suppose it is wholly extrinsecal to this subject, devolving to this other question, not whether every one that is Elect be sure he shall not fall away, but whether every believer be or ought to be sure of his Election? Of which if he were sure, I could not resist his being obliged to believe himself certain of his final Perseverance; Election and final failing being incompatible.

Having given you this interpretation of my sense, and so consent to each branch of your Proposition, I have no more to add, but that if you mean it in a further sense, proportionable to your former conjecture on the head of Decrees, or Bishop Overall's opinion, I shall no otherwise debate or question it, than I did that; and so the fate of this and that are folded up the one in the other; and if the Scripture shall be found favourable to the one, it shall be yielded, and then there will be no controversy of the other.

Only I desire to add that it will deserve our special care and wariness, so to deliver our thoughts in this matter, that we leave no man any ground of hope, that in case he depart from his duty, and so fall from Grace, or into any wilful act or habit of sin, he shall yet be so preserved, whether by God's Grace, or by His power, and Providence, that he shall not finally die without repentance; for as there is no promise of God to found that hope, so in time of temptation to any pleasurable, transporting sin, &c, it will be in danger to betray and ruin him that hath a good opinion of himself, especially if he hath been taught that Faith is a full assurance of his Election.

The same I say of Grace, as it signifies the paternal favour of God to His Elect children, which is thought by some to be only clouded, and, as to their sense and present experience and comfort, darkened by their most wilful sins, so as God may be highly displeased with them, as David with his son Absalom, and yet continue His paternal love and favour to them, as David did his to that ungracious son, in the height of his rebellion.

It is possible this example of David may have some rhetorical energy in it, to persuade and deceive some. If it have, then, 1°. I may not unfitly

Nay, the advantage is on the unregenerate's part. 1 Tim. i.

13.
§. 103.
Certainty of the Object.

§. 104.
Certainty of the Subject.

§. 105.

§. 106.
The great need of caution in handling this subject of Perseverance.

§. 107.
Of God's favour to rebellious children.

§. 108.

ask this question, whether they think God had then that kindness to Absalom that David had? If He had not, how can it be drawn into example to God? If He had, how then can it agree with it, to cut him off in the midst of his rebellion? which it is manifest David would not have done. But omitting that, I answer, 2^o. that it is visible, that this in David was passionate indulgence, such as men, as Joab tells him, disliked; and to this kind of human passionate, I oppose that other kind of Divine dispassionate love, producing in God bowels of pity, frequent admonitions and warnings, powerful messages, strong and earnest calls, and proposition of all rational motives to repentance. But if those prevail not, the just still continuing to draw back, God's soul hath no pleasure in him; and the greater obligations of love and Grace they are against which he hath sinned, the greater the provocations are in the sight of God; and nothing consequently but the greater degree of punishment to be expected. How God is affected toward rebellious sons is set down, Is. i. 2, 10-12. &c.

§. 109.
No comfort
for such
from 2 Tim.
ii. 19.

And then to put any man in hope, that what is not ordinarily revealed in the Gospel, may yet be laid up for him in the cabinet of God's secret counsels with this seal upon it, *The Lord knoweth those that are His*, as if they might be His still in God's acceptation, which walk most contrarily to Him, this may prove a most dangerous snare of souls; and it is strange it should seek shelter in that text, 2 Tim. ii. 19, which was most expressly assigned to the contrary, as is evident both by the notation of the *θεμέλιον* in the beginning of the verse, which in all probability signifies the Covenant of God, the *βεβαιότης*, stability, whereof, there pressed, must assure us that there is no Salvation to be expected, but according to the contents of that great indenture, once for all sealed in the blood of Christ; of which as that indeed is one part, which is inscribed on one side of the seal, *The Lord knoweth those that are His*, i. e. He will never fail to own those that continue faithful to Him; so the other, on the other side, is most emphatical, *Let every man that nameth the Name of Christ, depart from iniquity*; which if he do not, he hath forfeited all the privileges of his Christianity.

§. 110.
The Marcu-
sian's Heresy
in this
point, a
good warn-
ing.

The Gnostic Heresy, one branch of it especially, noted in Marcus's Scholars, in Irenæus, is a seasonable warning to all sober Christians in this matter. He told them of an *ἀπολύτρωσις*, a redemption, or kind of baptism, which rendered them *φύσει πνευματικούς*, naturally and immutably spiritual, no more to be polluted by sin, than gold by lying in the mire, or the sunbeams by lighting on a dunghill; and that whatever they did, they should, as with the helmet of the Mother of the Gods, be rendered *ἀόρατοι τῷ Κριτῇ*, * invisible to the Judge. The effects whereof as to all carnality, &c, were so detestable, that it becomes every man most solicitously to guard and secure his Schemes of Election and Doctrine of Perseverance of the Elect, from all probability, if not possibility of ministering to the like; and that cannot well be by any other method of resolution but this, that

* *εἶναι τε αὐτοὺς ἐν ὕψει ὑπὲρ πᾶσαν δύναμιν, διὰ καὶ ἐλευθέρως πάντα πράσσειν, μηδένα ἐν μηδενὶ φόβον ἔχοντας* τὴν ἀπολύτρωσιν ἀκρατήτους καὶ ἀοράτους γίνεσθαι τῷ Κριτῇ. I. xiii. 6. ed. Massuet.

those that persevere *unto the end shall be saved*, and none else : our tenure in all the privileges of Election, 1^o. God's favour, 2^o. the continual assistance of His Grace, and 3^o. the inheritance of sons, being inseparably relative and annexed to the constant filial obedience which He indispensably requires of us, under the Gospel of conditional promises.

Thus have I passed through all your Letter, and given myself the liberty of these strictures, by way of reflection on all and every passage therein, which belonged to this subject of God's Decrees and His Grace. And without the addition of any unnecessary recapitulation of the severals, it is already evident, how perfect the agreement is between us in all that you in any degree positively assert, or own as your opinion. And if in one particular which you are so careful to propose as a bare conjecture, and not allow it your favour in any other quality, it should happen that we finally dissent (though in propriety of speech conjectures are not sentiments) yet it were strange the dispute betwixt us should be of any length. And so you discern the utmost of uneasiness which is likely to be given you by this address of

§. 111.
The Conclusion.

Dear Sir,
Your most affectionate
brother and servant,
H. HAMMOND.

. The matter contained in §§. 47, 48 may be seen in a somewhat more expanded form in the Eleventh of Hammond's Letters edited by Peck, which is dated April 6, 1658, that is, a year and a half previous to the Dedication of the 'Pacific Discourse.'

A Second Letter, being a View of two Emergent Difficulties.

DEAR SIR,

§. 1. THE very friendly reception which my larger trouble found from you, is my full encouragement to proceed to the conclusion of my importunity and your exercise, which cannot now be far off, if I may judge by your Letter.

§. 2. Two Difficulties, you say, you have sprung by further entering into the consideration of this matter; *the first occasioned by my distinction betwixt the work of Grace and of Providence; the second arising from the concessions of Scripture of God's withdrawing His Grace from those that reject it.*

§. 3. To those I shall make these returns, which I doubt not will prove satisfactory. The first seemeth to favour an ἐπὶ ἡμέρῃ or suspense, and to avert all defining in these points. *For, say you, since the efficacy of Divine Grace followeth the acts of His Providence, so as it may seem in a manner to depend chiefly thereupon, and the ways of His Providence are abyssus multa, deep and unfathomable, it seemeth to you to conclude strongly that the manner how God effectually worketh by His Grace to the conversion of a sinner is also to our understandings incom-*

prehensible. To this you cannot but foresee my reply, that the proposal of that distinction was by me designed as a prejudice to Bishop Overall's way, which you had then mentioned as your conjecture. And if it shall have indeed that influence upon you or any man, as you speak of, to increase the difficulty, and to conclude strongly, that the manner of God's working, &c, is incomprehensible; yet you know this cannot in justice be applied further than to that particular Scheme, against which peculiarly this disadvantage was proposed; and then the only regular conclusion is, that this which you proposed but as a conjecture, should now grow lower in your esteem, and scarce be thought worthy to be owned as such.

§. 4. And the more force there is in this one consideration, thus to incline you, the less shall I despair, that two more considerations, which then encompassed this, and the superadded tender of another way, that the Scripture-grounds, especially Christ's Parables in the Gospel, suggested, will in some degree prevail with you, to deposit this conjecture, which, beside other prejudices against it, hath no grounds of Scripture to pretend

to, in exchange for that other, that hath, and pretends no further, than it shall approve itself to be thus founded.

This is all that I may say to an objection which I was to cherish and strengthen, rather than answer. But I shall not think that needful: only I leave it to have that force with you, which you shall see fit to give it, remembering only that it ought not to have force with him that accepts not that Scheme that alone is concerned in it.

§ 5.

Which Scheme having been proposed by you with perfect wariness, and profession of allowing it to be no more than a conjecture, one such difficulty as this, is, I acknowledge, sufficient to remove you from it, and in that case it will not be unseasonable again to tender that which you may find better qualified for your acceptance, having without question an advantage, from the Parable of the Sower, to recommend it. I shall endeavour to make this clear to you. Your supposed intricacy, or unfathomable question, is, what it is that makes sufficient Grace to be effectual to any? I say the Parable of the Sower was intended by Christ on purpose to answer that question, which it hath competently performed; for here we see, the seed being the same, (whether that were the Word or Grace, it matters not, as long as it is remembered that the Word is the vehicle of Grace,* and the instrument of conveying it to the heart,) all the difference taken notice of, is only in the soil, viz. some trodden down and crusted, some stony, some thorny, some good and mellow. Proportionably to this fourfold difference of the ground, the several fates of the seed are described, and your one question divided into four, and answer exactly accommodated to each.

§ 6.

The other way confirmed from the Parable of the Sower. The Question, What makes sufficient Grace effectual, punctually answered by Christ. The fourfold difference of soil.

The first Question is this, what is it that makes sufficient Grace uneffectual to some men, so that though it be on God's part freely afforded them, and as freely as to any other, yet it hath not the least effect upon them? And the answer is evident in the explanation of that Parable, because he is ἀκούων τὸν λόγον καὶ μὴ συνίης, one that hears the Word, to which that Grace is annexed, but either understands it not, or minds it not; and so *the Devil comes and catcheth away that which was sown*; and in that case there is no great need of that Devil towards the obstructing effectualness: let the seed lie there never so long, if it be not minded, it can signify nothing toward an harvest.

§ 7.

The one Question divided into four. The first. S. Matt. xiii. 19.

The second Question is, what is it that makes sufficient Grace, after it is received, and that with joy, (great forwardness and alacrity at the first) to become so uneffectual to the supporting a man in time of temptation, that rather than endure any smart for piety, he falls into any the grossest sins? And the answer follows, verse 21, because such a man is of a temper that yields not Grace any depth to root in: he hath some stonyness at the bottom, some pleasure, or passion, or other remains of resistance rooted in him, which he hath not divested himself of; and when duty begins any way to check that, he is impatient, and throws off piety, of which he made very fair professions, and such as had, as far as his

§ 8.

Thesecond.

* See above, p. 312.

trials formerly went, reality in them, till his last signal trial was made of him, for which, it seems by the effect, he was not qualified.

§. 9.
The third.

The third Question is, what is the reason that sufficient Grace, once received and bringing forth fruits, though it come not to combat with any sharp trials, doth yet many times decay and perish after a while? And the answer is, verse 22, that there remained in the heart of such some piece of ill temper unreformed, which in time prolifered, and sent out great and wasting sins, though not so generally decried in the world, viz. worldly solitudes, and such as the wealth of the world is apt to beget in men that have or seek it; and these being permitted to thrive in the soul, it is regular that Grace, which cannot consist with such, *You cannot serve God and Mammon*, should be overrun, and *choked*, and at length destroyed by that means; which had it not been for this cause of abortion, as it was sufficient, and effectual for a while, so it would have prospered to Perseverance.

§. 10.
The fourth.

The character of the honest heart.

And this introduceth the fourth and last Question, What then is it that renders sufficient Grace effectual both to Conversion and Perseverance? And the answer is, verse 23, the goodness of the soil, probity of the heart, wherein that sufficient Grace is received; and what that is, is best discerned by the opposition to all the former three. First, it is a sincerely pliable, ductile temper, that neglects not to make use of any grain of Grace. Secondly, it hath an uniform courage to combat with difficulties, and is not enslaved to pleasures. Thirdly, it utterly despises the world, the allurements and the terrors of it, and uses it as if it used it not. The former part of this temper renders it effectual to Conversion, the two latter to Perseverance also. And considering that Parable is set down by Christ to give account of the various successes of the Word of the Kingdom, i. e. of the Gospel, among all those to whom it is made known, who with you are the adequate object of the Scripture Election and Reprobation, what can be further required to the clear satisfaction of your whole difficulty?

§. 11.
The Conjecture compared with this other way.

And then, remembering that the only remaining Question, viz. whence is this probity? hath been fully answered in the former papers, I appeal to no other than yourself, whether this be not both a perspicuous and authorized stating, having so weighty a passage of Gospel to found it; and therefore in all justice preferable to your bare conjecture, which, besides that it is pressed with difficulties, as yourself acknowledge, which to you seem unanswerable, is not provided of any pretence of a foundation, hath no authority from Holy Scripture to recommend it.

§. 12.
One pretension for the Conjecture, from the finding the hidden treasure.

If it have any, it is most probably that other short Parable in the same chapter, verse 44, where the Kingdom of God is compared to *a treasure hid in the field, the which when a man hath found, he hideth, &c.* There the man, which found the treasure, is not supposed to seek it (for that makes another Parable, verse 45,) but by the mere Providence of God (which the heathen Philosophers were wont to style chance, and commonly give this very instance of it, the treasure found in the field,) happily

to fall upon it, when he passeth by on some other errand. And this, indeed, is matter of frequent observation: Augustine is converted by St. Ambrose's Sermon, when he came to it on no such design: Saul is called to from Heaven, and converted to Christianity, when he was going to Damascus on the most distant design of persecuting it. And to omit the many more examples of those of whom it hath been literally true, that they have found God, when they sought Him not, asked not after Him, one eminent story our books give us, of two young children brought to a city to be sold, at a time when a devout Nun had vowed to take some young child, and bestow her whole life and utmost industry to bring it up in strict piety, and accordingly came and bought one of them; and as soon as she had bought her, a bawd came in her presence and bought the other, by which means these two, which were so lately in the very same indifferent condition, by this act of Divine Providence, to which this was to be attributed, were strangely discriminated: the one brought up, and early engaged, and so persevering to the life's end in all piety; and the other by the contrary discipline debauched, and educated to the trade of harlotry, wherein she lived and persevered. In which it is visible how signal an influence this one act of Divine Providence had on so distant eternal fates of these two, and how eminent an ingredient it was in the saving the one and damning the other.

The conversion of Augustine. Of Saul.

The distant state of two children.

But from all these and innumerable the like, which are freely granted, and allowed to be competent to confirm your main conclusion, that the Providence of God is *Abyssus multa*, you will soon discern that there comes in no least advantage to that learned Bishop's Scheme, which is the matter of your conjecture, and our only present enquiry. The whole weight of that, as far as I, or any man questions it, being laid, not on the superabundance afforded to one above the other, which is willingly granted, but on the foreseen universal inefficaciousness of the barely sufficient Grace, acknowledged to be given to all, till that superadded advantage administered by God's Providence in the choice of the con- gruous timing, come in, as the work of God's Election, to make the discrimination.

§. 13. Answered.

The point of the difficulty. Whether the barely sufficient Grace be universally inefficacious.

Now seeing in all these examples, and in that Parable, nothing like this is to be found, no evidence, or intimation of God's foreseeing, 1^o. that that man that found the treasure, would never have been wrought on by that measure of sufficient Grace which that opinion allows God formerly to have afforded him, unless by that seasonable act of Providence he had thus fallen on the treasure in the Parable; or 2^o. that Augustine would never have been converted if he had not been surprized by St. Ambrose's Sermon; or, 3^o. that Saul would not have been converted at another time, without or even with that vision and voice from Heaven; or lastly, that that fortunate child, that fell into the Nun's instead of the bawd's hands, would never have been brought to Heaven any other way, and could not have miscarried under this method:—through all these instances, I say, it is still apparent, that nothing is gained toward the approving the conjecture: these advantageous turns of Providence afforded

§. 14. No pretence for this.

one man and not another, and the signal efficacy of such, being most freely granted by those who deem the conjecture improbable.

§. 15. And, indeed, if it be well considered, all that these and a myriad of the like instances infer, is no more than this, the great and admirable variety of God's providential acts: not as those are all one with, but as in His hands they are instrumental and subservient to His Grace, whereby in diverse manners Grace is advantageously assisted by Providence, to one in this wise and admirable manner, to another in that. No man, who is allowed the sufficient Grace, being denied some benefit or other of Providence to assist Grace, and make it more than probable to become effectual to him, if he doth not betray and frustrate the opportunities of the one, as well as the power and efficacy of the other.

Providence
allowed to
assist Grace.

§. 16. So that still, acknowledging most willingly, and admiring the abyss of Providence, this no way obstructs the comprehending the manner, or perplexes the doctrine of the cooperation of the Grace of God with the will of man, but leaves it where the Parable of the Sower set it, that the efficacy of Grace, and successfulness, whether to conversion or perseverance, proceeds from the mellowness and preparedness of the soil, from the advantages which it meets with in the honest heart, as that again is wholly due to God's preventing Graces, which have thus fitted the soil for the kindly seed's time, planted pliability, humility in the heart, where Grace may be deeply and durably rooted; but this still resistibly in both parts, as hath formerly been expressed.

But is of
no force to
the Ques-
tion.

§. 17. One fancy I know there is, which hath pleased some men in this matter, that God gives sufficient Grace to those who do not make use of it, but resist it, and yet more than so, the power of using, or accepting, or not resisting it; but gives to the Elect and only to the Elect *ipsam non-resistantiam*, the very not resisting; and this they will have to be the signal discriminating Grace.

A fancy of
God's giv-
ing the
Elect *ipsam
non-resis-
tentiam*.

§. 18. Of these I shall demand, 1^o. Whether in those which have not this *ipsam non-resistantiam* given them, this be an effect of God's Decree, which hath determined the certain infallible giving it to some peculiar persons, and so the not giving it to all others? If it be not, then this is no foundation of discriminating Grace, or, consequently, fruit of Election and Reprobation, and so is still impertinent to the matter for which it is brought.

Examined
and found
weak.

§. 19. But if it be the effect of God's Decree, determining the giving it to some, and denying it to others, I then 2^o. demand, whether all they to whom it is not given, do therefore infallibly receive the Grace of God in vain, because they have not this *ipsa non-resistantia* (which is more than the power of not resisting) given them?

§. 20. If this be not affirmed, then, as before, this comes not home to discriminating Grace, nor consequently to the business of Election and Reprobation, which it was meant to assist. But if it shall be said, that they therefore infallibly resist, or receive in vain, because this *ipsa non-resistantia* is not given them, then it seems this gift of *ipsa non-resistantia* is such, as that they who have it not, want somewhat which is necessary

to their effectual receiving, or not resisting Grace; and if this be the condition of the far greatest part of the world, then how can it with any sincerity be affirmed, (as by those that make use of this expedient it is professed) that God hath to all mankind given Christ, and in Him all things, and particularly Grace sufficient, and the power of not resisting Grace, which, according to this fancy, none can choose but resist, who have not the *ipsam non-resistentiam* given them, which yet they affirm to be given but to a few, i. e. to none but the Elect.

This were, by interpretation, and in effect, for God to give to all men a power to an act, which yet the greatest part of those which have it given them, can never make use of to that act, for want of somewhat else which is not given them, which to all them which have not that somewhat else given, (and those the far greatest number of men for whom Christ died) is not a power to that act, viz. of not resisting, which what is it other than a direct contradiction, a power and not a power to the same act? and withal so far from being a favour to them, that it is in event infallibly and inevitably the greatest curse that could have befallen them, viz. the heightening and extremely aggravating of their guilt and punishment, proportionably to their sin of resisting such sufficient Grace, of standing out against Christ; which as it is the height of guilt, and awarded the dregs of God's wrath, now under the Gospel, and makes their condition in the world to come much worse than it would have been, if Christ had never been born, or preached to them, so it had never been thus direfully charged upon them, if they had not had the power of not resisting given them by Christ.

§. 21.

This is a competent prejudice and discouragement to this fancy, of founding discriminating Grace and the doctrine of unconditionate Decrees, in this difference betwixt the power of resisting, and the *ipsa non-resistentia*, the latter given only to the Elect.

§. 22.
Considered
in relation
to this
fancy.

But it will further be defeated, if we reflect on that place of Scripture, wherein God's giving the *ipsa non-resistentia* chiefly seems to be mentioned, Phil. ii. 13, under the style of *ἐνεργῶν ἐν ἡμῖν τὸ ἐνεργεῖν*, *working in us to do*, or work, which that it tends not to the support or advantage of this fancy may be evident by these three considerations.

§. 23.

Phil. ii. 13.

First, by the importance of the phrase, *working in us to do*, as before *to will*, which, as was formerly noted in passing, will best be understood by other parallel phrases, as *δοῦναι λατρεύειν*, God's giving to serve, S. Luke i. 72. Which is evidently His giving Grace, or power, or supernatural abilities to serve: not only furnishing him with a remote and fundamental power or faculty, but withal having a particular immediate influence on the effect, actuating that power, when it is actuated, and so properly causing, or making him actually to serve, yet so as to leave him power also to neglect, and receive that power in vain, as the Scripture elsewhere saith. Thus, Revel. xi. 3, *δώσω I will give*, we render, *I will give power*, viz. power to the subsequent act, prophesying there, as in S. Luke, serving in holiness. By which analogy it is evident, that God's working in us to do, or work, is not interpretable to any more than His giving supernatural

§. 24.

power or sufficient Grace to do, or work, and causing him actually, though not irresistibly to work; and then here is no pretence whereon to found the foresaid difference between God's giving the power of not resisting, and the *ipsa non-resistentia*, these two being equivalent in this Text.

§. 25. Secondly, the same appeareth by the Apostle's exhortation foregoing in this Text, *to work: and work out our own salvation with fear and trembling*, for the enforcing whereof this reason is given, *for it is God that worketh*, &c. Here our own working is under the Apostolical exhortation and precept: we are commanded to work, as elsewhere *συνεργεῖν* to co-operate and work together with God, which could not have place, if God alone, and not we, did work in us the very working: whereas interpreting it of God's giving us the power of working or doing, as well as of willing, and withal engaging us to make use of that power, and cooperating with us in the very act, and so causing us actually to work, yet so as to leave us a power of resisting, and frustrating, and receiving this power or Grace in vain, this is a most proper and effectual enforcement of the exhortation addressed to us, to work and work out our own salvation.

§. 26. This further and most irrefragably appears by the persons, to whom both the exhortation, and this enforcement thereof is tendered, viz. the *brethren* indefinitely, or *beloved*, verse 12, the whole Church of professors at Philippi to whom he writes, which being not made up wholly of the Elect, sincere, and persevering Christians, but like the net, in Christ's Parable, that caught both good and bad, and had no doubt some insincere persons, hypocrites, and temporaries in it, the affirmation notwithstanding is indiscriminately of all: God worketh in them to work, which could not hold, if by this phrase were meant His giving the *ipsa non-resistentia*, and that as an evidence of discriminating Grace, and an effect of His Election; for this is not supposeable to have belonged to that whole Church, any more than it then did, or now is believed to do to all Christians.

§. 27. I have enlarged thus far, because I was not willing to omit, but rather to prevent whatsoever I could foresee might probably be objected in this business. And so this may suffice to have returned to your first difficulty.

§. 28. The second difficulty. Concerning God's withdrawing sufficient Grace.

The second difficulty you thus propose: *Whereas it is said, and that, as you conceive, most truly and agreeably to plain evidence of Scripture, that God withdraweth His Grace from such as rejecting it when it is offered to them by the preaching of the Gospel, do thereby frustrate the Counsel of God against themselves, it seemeth hard to conceive how the Grace of God should be so withdrawn from them that so do, but that, so long as they are not deprived of the outward means, the same sufficient Grace that was offered to them at the first hearing of the Gospel, is offered to them still; which if it was then sufficient on God's part, to do the work, is also still sufficient,*

and that in the same degree; and how then can it be said to be withdrawn? It is true that the conversion of such a person, after so long obstinacy and refusal, is more difficult than before, which may arise from the greater indisposition of the person to be wrought upon; but how it can be imputed in the least to the withdrawing of the Divine Grace, (to which yet undoubtedly it may and ought to be imputed,) upon the former supposal of the like sufficiency remaining, I must profess myself not able to understand.

To this I shall not doubt to apply a satisfactory answer, and such as you will acknowledge to be such, by distinguishing of God's withdrawing His Grace. For, 1^o. it being God's method to give more Grace to those that walk worthy of it, the humble obedient children of Grace, when He on our provocations stops that current, this may be called withdrawing. God's smittings are His admonitions, *Hear ye the rod.* His admonitions, as any other dispensation of His Word, are vehicles of Grace; and when these prevail not, they are thus withdrawn, i. e. not further increased. *Why should you be smitten any more, &c.* Isa. i. Yet is this withdrawing consistent with God's affording sufficient Grace; either by instruments of some other kind, or even of the same kind, the continuance of that proportion, which was formerly afforded: as he that gives a competency, and would, if he saw it well used, daily make additions to it, though he see cause to withhold those additions, yet he may continue that competency. But in propriety of speech, the truth is, this is rather withholding, than withdrawing, yet because the not giving what was promised to be given is tantamount to withdrawing, I therefore place this in the first rank, supposing it clear, that this doth not only leave sufficient Grace, but is itself designed to awaken and quicken those that did not formerly make good use of it, lest a worse thing yet befall them.

Secondly, then, withdrawing being taken, in the proper sense, for taking away from and diminishing the stock before afforded, that may yet be but in part, not total, and there being a latitude in sufficient Grace, some degrees of that may be taken away, and yet that which remains be sufficient; an image of which is that degree of Church Censures, which, cutting off from the participation of the Eucharist, or suspending from it, allows the hearing of the Word, and partaking in the prayers of the faithful. And this act of God's withdrawing, again, is so far from denying sufficient Grace, that it is purposely used and designed as the most probable means, to make that sufficient Grace effectual which formerly had not been so.

There may yet be a third, and yet further degree of withdrawing, which at the present, and as to sufficient Grace, may be said to be total, i. e. such a withdrawing of Grace at the present, that it shall truly be said such a man is not now allowed sufficient for his necessities, whether it be that his necessities are grown greater, and so the former competency will not suffice, or be it also, that some of that which he had is withdrawn, as when

§. 29.
The several
ways of
God's with-
drawing
Grace.
The first
rather
withhold-
ing.

Consists
with His
affording
sufficient.

§. 30.
The second.
Not total.

§. 31.
The third
total, but
only for the
time, and
neither

he that for some time had no violent temptations, and was furnished with strength proportionable to what he had, upon his betraying this strength, and sinning wilfully against it, is by God called out to sharper combats, having been foiled with the weaker, and perhaps some part of his former strength withdrawn from him also, when he hath most need of succours, and should certainly have had them, had he not thus provoked the withholding them. In this case the aim of this punishment of God's is yet most wise and merciful, thus to convince such a man of his guilts and impotence, (the effect of them,) and so, as by turning Nebuchadnezzar into the field, thoroughly to humble him, to excite ardency of prayers, both for pardon and Grace, which God in that case fails not to give, and so to restore such a man to a greater stability of his former state.

§. 32. And so still this is neither final, nor simply total, as that signifies withdrawing all Grace, but only total for a time, in the sense declared, as it signified the withdrawing what was necessary to their present state.

§. 33. And I need not show you how far this is reconcileable with sufficient Grace, any further than thus, that such an one though severely mulcted hath yet time for repentance, and Grace to make some use of it, which if he fails not in, he hath assurance of more Grace, and this demonstrated to be so, by his not being cut off in his sins, God's longsuffering leading him to repentance, and by the light of God's Word, and articulation of His calls daily continued to him, which are not void of that Grace, which is sufficient to work conviction, and hath the promise of more, upon asking, made to him that is thus qualified for it.

§. 34. The fourth total, yet itself designed as a Grace, most effectual of any. Rom. ii. 4. Fourthly, there is the removing the candlestick, the withdrawing all the outward ordinary means of Grace, the preaching of the Word, and Sacraments, which if it be done by the censures of the Church, is called the delivering up to Satan, or if it be done by God's judgments, invasion of barbarians, &c, it is yet to those persons that are thus punished, perfectly proportionable to that of the Church Censures. And yet of those it is said expressly by the Apostle, that the end of inflicting them is *for edification, that they may be disciplined, taught not to blaspheme*. This supposes continuance of Grace to them that are thus punished, and that sufficient to make use of this punishment to their amendment: nay the punishment, though it be the withdrawing of one instrument of Grace, is itself another, and therefore purposely chosen and allowed in exchange for the former, because it is looked on as the more probable to produce the effect.

§. 35. They that see so great a benefit withdrawn from them for their unworthiness, will be thereby excited to reflect on their provocations, and bewail them, and contend by all regular means to regain what they have forfeited, and to repair their defects some other way; and this being the very end to which this punishment is by God designed, it is not imaginable He doth yet, till this method also be despised, withhold that degree of Grace from such which is necessary for the producing of the effect.

§. 36. God's punishments. All the Ordinances of God, we know (and such are the Censures) yea and all the wise dispensations of His Providence, particularly His punishments of this life (and therefore this, as the last, beside excision) are

instruments of Grace in the hands of His wisdom, as well as the preaching of the Word is, and therefore in all reason to be resolved to be the vehicles of Grace also; and so neither is this any objection against God's giving sufficient Grace to those whom He thus punishes, in case they begin to make use of it. If they do not, but continue still obstinate, it is just it should at length be withdrawn from them.

But this must be understood only of those persons to whom the light of the Gospel had formerly shined, not to their distant posterity, which never have had any gleams of it, though their ancestors had the fullest sunshine. These are to be reckoned with the Heathen, with whom, you know, we undertook not to meddle, treating only of the Scripture Election, terminated in those to whom the Scripture is revealed.

§. 37.

Fifthly, there is a total and final withdrawing of all Grace, as well as the means of it, which is visible in the cutting off such an one in his sins; and when this comes, our former supposal of sufficient Grace, as of the preaching of the Word, and God's calls, are utterly at an end; but this breeds no show of difficulty, that man having enjoyed and mispent his time of sufficient Grace, and now the storehouses are shut up.

§. 38.
The fifth, total and final withdrawing of all Grace by excision.

But there is yet possibly a sixth state of withdrawing, when, before either cutting off, or withdrawing God's outward calls, whilst life and the preaching of the Word is continued, the obdurate sinner, that hath long hardened his own heart against God, thereby provokes Him totally to withdraw all inward Grace from him, as much as if he were already in hell. This seems to be Pharaoh's case after the sixth judgment, and was designed by God to very excellent ends, to make him an example to all those that should be inclined to harden their hearts against God. And though we know not that God thus deals with any others, yet it is sure He justly may with all whom He may justly cut off in their sins. And in this case I acknowledge the non-conversion of such a man is not only imputable to the indisposition of the person to be wrought on, but also to the withdrawing of the Divine Grace; for then, as I said, the former supposal of the like sufficiency remaining ceaseth, and is outdated.

§. 39.
The sixth, before excision.

What fresh difficulties can arise from this concession, I cannot divine, unless, first, it should be objected, that then, it seems, the Word is not always the vehicle of Grace; and then, secondly, who knows when it is so, when not? And how then is this reconcileable with the doctrine of sufficient Grace always accompanying the Word? And to these the answers are obvious: First, that it is granted that the Word is not the vehicle of Grace to the Devils who *believe and tremble*, to the damned who have received their sentence, nay, nor to those that are thus arrived to the highest degree of obduration in this life, and have, as Pharaoh, this exterminating sentence passed upon them. It is sufficient if it be so to them that are in a capacity to make use of it, and have not utterly hardened themselves against it, the Scripture expression being, that *the Gospel is the power of God to Salvation to every one that believes it*; and this is enough to establish our pretensions, the doctrine of sufficient Grace. There is a competent time allowed every man; and it is certain, death is the conclusion of it: it is possible some space before death.

§. 40.
The word is not accompanied with Grace to the damned, the highest degree of obdurance.

Rom. i. 16.

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§. 41. As for the second, if it were on the premised grounds granted, that sometimes it cannot be known whether or no the preaching of the Word do then bring this Grace with it, yet the one regular consequence would be that we should all be the more careful to make use of Grace, when it is afforded. But when to this is added, that this barren season is always the reward of obstinate obduration, and of nothing less than that, as long as we have any softness left, that is our assurance that this sad time is not yet come upon us. They that go on in their obdurate course, have reason to expect this fatal period every hour; but they that have remorse and any degree of sincere relenting, may know by this, that this state of spiritual death hath not yet seized them; and that is sufficient to guard this doctrine from all noxious consequences, having provided that none shall hereby think his state desperate, that is willing to reform it.

§. 42. But then it is further to be remembered, that there appears not in the Word of God any other example of this total spiritual dereliction finally inflicted, before death, but only that of Pharaoh, after the time that God is said to have hardened his heart; and the reason of this is set down, Rom. ix. 17. God keeps him alive, after the time due to his excision, that He might shew in him His power. And such singular examples ought no further to be taken into consideration by us at this distance from them, than to warn us, that we keep as far as it is possible from the like provocations. And then there remains not, that I discern, any further appearance of difficulty in this matter.

§. 43. As for any others that shall be apt to occur, when men set themselves to consider of these points, not divining what they are, I may not pretend to speak to them, any further than thus, that in all probability they may be measured by these, which you have chosen to mention, and by nearer approach to them be likewise found not to be so deep, as at the distance they are conceited to be. This then concludes your trouble. It remains that according to my promise I now only annex the Letters of Prescience,* and hasten to subscribe myself,

Your most affectionate

brother and servant,

H. HAMMOND.

* The Three Letters may be seen in the first Volume of Hammond's Works, in folio, pp. 583—604.

DR. PIERCE'S Letter to Izaak Walton, March 5, 1678, will be found in Vol. vi. in the place which Walton assigned it, at the end of his Life of Sanderson.

The Extracts from Letters of our Author to which Dr. Pierce there refers Walton, 'for another account at large of Bp. Sanderson's last judgment concerning God's concurrence or non-concurrence with the actions of men, and the positive entity of Sins of Commission,' may conveniently follow the account furnished by Hammond.

The Dedication of Pierce's 'Impartial Inquiry into the Nature of Sin' bears the date of May 2, 1660.

Henry Hickman, in answer to whom it was written, having taken his first degree in Arts, as a member of Catharine Hall, Cambridge, removed to Oxford in 1647, and was, in the following year, by the Parliamentary Visitors put into a Fellowship in Magdalen College. "He became a Preacher without Episcopal Ordination," and being displaced after the Restoration retired to Leyden. Beside several controversial Works against Heylin, Durell, and others, he wrote 'a Justification of the Fathers and Schoolmen, &c. being an Answer to so much of Mr. Tho. Pierce's Book called *Ἀυτοκατάκρισις*, as doth relate to the opinion of the said Fathers touching the positivity of 'Sin.' Oxon, 1658. 8vo. See Wood, *Athenae Oxon.* iv. 368. ed. Bliss.

HE [i. e. Mr. Hickman] produceth a passage, from one of the first printed Sermons of the learned and reverend Dr. Sanderson, concerning God's concurrence with subordinate Agents (p. 29,) which he hoped some shallow Readers would think conducing to his end, of making the people to believe that God Himself is the cause of the wickedest actions in the world, because the wickedest actions have not only a real, but a positive being. But besides that that passage of God's concurrence, to the sustentation of the creature, is nothing at all in itself to Mr. Hickman's purpose, I have the leave and consent of that most learned and pious person, to communicate as much of his Letters to me on this occasion, as I conceive may tend to his vindication, and withal to the advantage of peace and truth.

DR. SANDERSON'S LETTERS, &c.

1°. As to the passage in the Fifth Sermon ad Populum, pp. 278, 9,* the Doctor saith, ' That as he did as well at the time when the Sermon was preached, as at all other times before and since, utterly detest, so the thing principally intended and purposely insisted upon in that whole passage was to root out of men's minds the seeds of that horrid, blasphemous opinion, that God was the author or efficient cause of sin.'

2°. He saith, ' that the occasion which led him to that Discourse being the handling of that 1 Tim. iv. 4, *Every creature of God is good*, the inference thence was natural and obvious, that therefore whatsoever was evil could be no creature of God, was none of His making, nor could He in any tolerable sense be said to be the author or efficient cause thereof.

3°. He saith, ' that if, in the explication or prosecution of that inference, he should perhaps have let fall some such improper, incommodious, or ambiguous phrase or expression as a caviller might wrest to a worse construction than was

* i. e. §§. 6, 7. The reference is to the folio edition of 1657.

meant, (a thing not always to be avoided in popular Discourses, especially where the matter treated of is of great nicety, or of a mixed consideration between metaphysical and moral,) it had yet been the part of an ingenuous Reader to have made the main scope of the Discourse the measure whereby to interpret such phrases and expressions, rather than by a malign interpretation to extract such a sense out of the words, as it is certain the Author, unless he would contradict himself, could not mean.'

4°. He saith, that upon as district* a review of every period and clause in that whole passage, as seemed requisite for his concernment in the present debate, he hath not observed any phrase or expression which is not consonant to his main scope therein, or whereof Master Hickman, without injury and violence to his true meaning, could serve himself in any of those three points wherein, as far as he can judge, having never seen Mr. Hickman's book, he conceiveth the difference betwixt Master Pierce and his adversaries to lie, viz. First, God's predetermining of men's wills and actions. Secondly, the positive entity of sin. Thirdly, God's concurrence in the sinful actions of men.

5°. For the first of which, the Doctor saith,^a that he is so far from believing that God predetermineth the Will to evil actions, that he does not, without further assurance than he can yet find warranty for, affirm positively, that God at all physically determineth any man's Will either to good or evil. It being hard, to his seeming, to suppose such a determination without destroying the nature and liberty of the Will. Nor doth he find himself obliged to say or believe, that God hath predetermined or eternally decreed all actions, events, and things, if any more be understood thereby than this, viz. that God *ab æterno* knowing all both future and possible things, hath eternally decreed to permit the creature to act (that is, not to withhold from it the concurrence of that His power without which it could not act,) in such sort, as that the event which He foresaw future should certainly come to pass; and the event foreseen as possible, but not future, should certainly not come to pass.

* 'district.' Compare Sermon iv. ad Clerum, §. 20.

^a Note that this Section shows his meaning in the seventh.

6°. For the second, the positive entity of Sin, although, taking a real entity as opposite to mere nothing, even Sins of omission may be said to have a real entity, as all privations and other *Entia rationis* have, yet the chief contest being about sins of commission, (as appeareth, both by the distinction so frequently used in this controversy, between the act and the obliquity; and by the particular instances, the hating of God, the murdering of an innocent, the ravishing of a woman, &c.) the sins of omission set aside as less pertinent to the present debate, he saith he wondereth with what pretence, or by what subtilty of distinction, any man, that acknowledgeth a sin of commission so to consist of an act as the material part, and the obliquity of the said act as the formal part, that, if either of both be wanting, it cannot be a sin, for without supposal of an act there can be no obliquity, and an act without obliquity is no sin; and acknowledgeth withal the one part, viz. the material, to be a positive entity, can deny the *totum compositum* to be a positive entity. It seemeth to be all one as if a man should deny Socrates, consisting of a body and a soul, to be *Ens quantum*, because his soul, his formal part, is not *Ens quantum*. For no more can the accession of the obliquity to the presupposed act whereunto it adhereth, make that act cease to be a positive entity, than the infusion of the soul into a body that hath dimensions can make that body cease to be a quantitative entity. The Doctor acknowledgeth that in a sinful action the act may be metaphysically abstracted, *abstractione praecisionis*, and *per primam operationem intellectus*, from the obliquity: that is to say, it may be considered precisely as it is a motion of the creature, or an exercise of that natural power wherewith God hath endued the creature, without considering at the same time the object about which it is conversant, the end whereunto it is directed, or the circumstances appending; and that the act, so abstractedly considered, hath a distinct essence of its own, whereby it essentially differeth from them: otherwise the act and the object should be the same thing. But yet forasmuch as no such act can *de facto*, in regard of actual existence *extra intellectum*, be really abstracted from those things without which, though extrinsecal to its essence, it cannot exist, and by the occasion whereof it first becometh morally good or evil, for no act is morally evil

in its own abstracted essence, nor otherwise a sin than as [it] is vitiated by the coexistence of some undue object, end, or circumstance; it must necessarily follow that the *totum compositum*, the vitiated act, and that is the sin, act, and obliquity jointly together, is a positive real entity, and morally evil. A positive real entity, from the existence of the act; and morally evil, from the co-existence of those aforesaid vitiating relations, which are accidental to the act, as to the essence of it, but by adhering to it make it formally a sin.

7°. For the third point, God's concurrence to a sinful action, the Doctor thinketh that what he hath now last said will sufficiently clear from misconstruction not only that phrase of actuating the power, p. 279, if Mr. Hickman have hoped for any advantage to his cause therefrom, but that other short passage also, p. 29, wherein is acknowledged the effectual concurrence of God's will and power with subordinate agents in every, and therefore even in sinful actions also. Especially if the two Texts of Scripture quoted in the margin, viz. Acts xvii. 28, and Isaiah x. 12, be withal taken into consideration. For it is manifest that by the concurrence signally grounded upon those two Texts, there cannot rationally be understood any other concurrence than such as is according to the importance of those Texts: which, from Acts xvii, is briefly this, as, whilst we have any being, we have it by virtue of that His concurrence, which if He should withdraw or withhold from us, we should cease to be; and so long as we live, we live by virtue of that His concurrence, which if He should withdraw or withhold from us, we could not live, so, as oft as we act and move a hand or a thought, we act and move by virtue of that His concurrence, which if He should withdraw or withhold from us, we could not act or move hand, foot, or thought. That is to say, we cannot exercise any of those natural powers God hath endowed us withal, without that *generalis concursus causae universalis*^c, as the Schoolmen call it, which hath such an influence upon all the motions of inferiour subordinate agents and second causes,

^b Note that the Concrete, or vitiated act, is here denominated the sin; and the sin said to be a compound, consisting of two parts, act and obliquity, not separately, but jointly.

^c Note the distinction of Melancthon: The will doth act, *Deo sustentante, non adjuvante*: God sustaining the faculty but not assisting the choice.

that if God be pleased at any time to withhold from them that concurrence, although the natural power remain the same it was still, yet can they not exert or actually exercise that power to the producing of any effect. As when God withheld from the fire, Daniel iii, His concurrence, it could not put forth that natural power it had of burning, so as to have any operation upon the bodies of the three young men that were cast thereinto. If an ungracious son should be so wickedly disposed as to cut his own father's throat, he could not take the knife into his hand, or move his arm to do that foul deed, if God should withhold His concurrence thereunto, and not suffer him to exercise his natural power of reaching out his arm to cut. In which horrible and sinful act all the concurrence imputable to God at the most is but the affording, that is to say, the not withholding^d of that His general influx into the locomotive faculty of His creature, without which he could not exercise that faculty so far as to stretch out his hand to cut; which act, so far forth only considered, and no further, doubtless is no sin; for then every stretching out of the arm to cut any thing should be a sin according to the old Logical axiom, *Quidquid convenit quatenus ipsum, convenit omni*. But the applying of such an act to an undue object, referring it to an undue end, performing it in an undue manner, or with undue circumstances, by any of which obliquities it becometh a sin, proceedeth wholly and solely from the corrupt Will of the inferiour agent, and not at all from God; which, as it layeth the whole guilt of the sin or the moral act upon the actor, so it clearly acquitteth God, such His concurrence to the natural act or motion of His creature as aforesaid notwithstanding, from the least degree of any agency or efficiency therein.

8°. He saith, that what he hath here declared concerning these two last points, as it is exactly agreeable to what his judgment then was, when the two Sermons, wherein the passages quoted by Mr. Hickman are found, were preached, so it is his present opinion still, which he hath therefore somewhat the longer insisted upon, not only for that it seemeth to

^d Note his exposition of the word affording by 'not withholding,' and the word 'general' added to 'influx,' and the locomotive faculty, which is

common to us with beasts, as distinguished from the Will which is common to us with Angels.

be the consentient tenet of the best Schoolmen, grounded upon discourse of reason and the authority of St. Augustine and other of the antient Fathers, and no way, in his apprehension, derogatory to the holiness, goodness, wisdom, or majesty of God; but also because the due consideration of it might prove, if it were by some able hand distinctly, clearly, and intelligibly set down, a probable expedient toward the reconciling of some differences among Divines held at a greater distance than perhaps they needed to have been, for want of a right understanding between the dissenting parties. For the Doctor professeth himself, (and he well hopeth he is in most things not much further from the truth for so doing,) as on the one side extremely jealous of extreme opinions, till they have undergone a severe trial, so, on the other side, very inclinable to embrace middle and reconciling opinions, where there appeareth not pregnant evidence of reason to the contrary.

9°. Lastly, to conclude this whole business, so far as he apprehendeth himself concerned, he saith, he is 'not unwilling the world should know that having from his younger years, as his genius led him, addicted himself mostly to the study of the Moral and Practical part of Divinity; but especially having, for fear of approaching too near the ark of God's secret counsels, kept aloof off from meddling, more than needs must, with those more nice and intricate disputes concerning God's eternal Decrees, the cooperation of God's free Grace, and man's free Will, &c. he contented himself for sundry years to follow on, as most others did, by a kind of implicit credulity, in the Sublapsarian way, as the then most trodden path, until having a just occasion, A.D. 1628, to make a little further inquiry after the truth in these questions, upon due search he saw a necessity of receding from that way in some things: a more particular account whereof is given in a Narrative lately printed with his consent,* which, if well considered, ought, he thinketh, in reason and charity to excuse him from the necessity of justifying every syllable or phrase that might slip from his tongue or pen, in any thing by him spoken or written before that year, and whilst he was very little, or rather nothing at all versed in the study of those Questions.'

* This probably refers to the account given above, pp. 297—299 of this Volume.

Now since I have proved undeniably, that the question was from the beginning, betwixt my adversaries and me, whether any kind of sins (plainly meaning whole sins, not the formal part of sin, which cannot possibly be the sin of which it is but the formal part) have a positive being; and since it is said by Dr. Sanderson, that the positive acts abovementioned, murdering and ravishing of men, women, are, so in the concrete, horrid sins; nay, in the plainest terms to be imagined, that a sin of commission doth consist of two things, an act and an obliquity; and since it is said by Mr. Hickman, that it belongs to the universality of the first cause to produce not only every positive, but every real being, and not only so, but also the positive modifications of beings, p. 95, it is apparent that Dr. Sanderson is as much for my cause, and as much against Mr. Hickman's, as either my heart can wish, or my cause require. For though he conceiveth that the act may be considered without considering the object about which it is conversant, in which case it cannot possibly be considered as a sin, yet he declares that the act of sin cannot possibly exist without the obliquity, any more than the obliquity without the act. And further yet, he doth affirm, towards the end of his sixth paragraph, both that the vitiated act is the very sin, and that the sin, which is the vitiated act, is not only a real, but a positive entity. I have published this happy concurrence with me, not only in his sense, but, according to his desire, in his own manner of expression.

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